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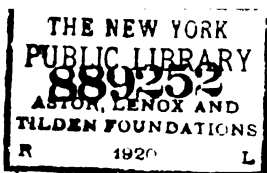
THE
BENCH AND BAR
OF
WISCONSIN.

HISTORY AND BIOGRAPHY,

WITH PORTRAIT ILLUSTRATIONS.

BY
PARKER MCCOBB REED.

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INTRODUCTORY.

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WHATEVER else may be said of the legal fraternity, it cannot be denied that members of the bar have been more prominent actors in public affairs than any other class of the community. This is but the natural result of causes which are manifest and require no explanation.

The ability and training which qualify one to practice law also qualify him in many respects for duties which lie outside the strict path of his profession and which touch the general interests of society.

The education of the lawyer should include a thorough culture in literature as well as law. The broader the scope of his studies and the ampler his resources, the more certain is he, other things being equal, to achieve eminence in his profession. Rarely is a cause of so little consequence tried that the lawyer will not find an advantage in being able to draw illustration and incident, and it may be anecdote, from a well furnished storehouse. Addressing a jury in a court in Maine, the famous John Holmes surprised and delighted all who heard him with a lucid description of the mechanism of a clock; he captured jury as well as spectators and won his case.

The advocate is necessarily an orator. Public speaking is prominence and power. Study of the principles of jurisprudence qualify one above everything else for useful membership of law-making bodies. The leaders in congress and in our state legislatures are usually lawyers. Of the presidents of the United States, Jefferson, the two Adamses, Madison, Monroe, Van Buren, Polk, Tyler, Fillmore, Pierce, Buchanan, Lincoln, Hayes and Garfield were lawyers. During the late war no one class of people went earlier to the front, served their country more devotedly, or won greater distinction, than lawyers; and of the men who remained at home during that contest, no class of citizens took a more active part in sustaining, by voice and act, the soldiers in the field.

Without undue partiality it may be said that in every age members of the bar have shown themselves patriots. An eloquent writer says:

"What could we have accomplished in our revolution without the aid of such patriots as Adams, Otis, Ames, Hamilton, King, Marshall, Henry, Lee, Jefferson, Livingston, Rutledge, Pinckney, Clinton, Granger, Gallatin, and hundreds of others who belonged to the legal profession? Not only did they kindle the fires of the revolution by their fervid eloquence, but they tendered to their country their property and their lives. The declaration of independence alone — one of the ablest state papers that ever emanated from human thought — was from the pen of a lawyer, and did more than everything else to satisfy the civilized world of the justice of our cause, and to secure our recognition as an independent government. The fact is, the legal mind has been, and ever will be, arrayed on the side of order, good morals and good government. A lawyer's experience in dealing with the affairs of men, his habits of thought, reading and reflection, all tend in that direction; hence it is that he becomes the recipient of the most responsible judiciary trusts, and his influence for good is wide-spread and unlimited. Notwithstanding this he is allotted but a little space in biographical literature."

Fully impressed with the prominent part that members of the bar have taken in public affairs, the weight of influence they have, as a class, exerted in the community, and the dignity they have imparted to the profession, it is the purpose of this volume to place on permanent record the lives of those men who have been chiefly instrumental in making the history of the bench and bar of Wisconsin. Their history is largely the history of the state.

The names of some have been omitted, from the fact that it has been impossible to obtain any reliable information respecting their lives. In other instances the omission has resulted from the apathy and indifference of those who promised but failed to impart the desired information. Others have refused to have their lives written and published while living; while not a few have taken no interest whatever in the work. To those who have kindly consented to appear in this book, endeavor has been made to accord to each the delineation of life and character his merits and prominence deserve, "naught to extenuate nor aught set down in malice." That all who honor this work with its perusal will be pleased is not expected, but the records made in it have been sought to be verified with infinite diligence and research.

To place this volume before the law fraternity of this state the author has labored long and assiduously. Before going into the hands of the

printers, the matter that composes the book has been submitted to the reading and approval of competent and impartial gentlemen of the bar, that nothing shall appear in the work that good judgment would consider incorrect or improper. In speaking of men, the author has had no favorites to please, nor enemies to slight; and, inasmuch as in him lies, has avoided indiscriminate eulogy of the dead and overdrawn praise of the living. While not expecting to avoid criticism in this department of the book, no pains have been spared to realize the happy mean. This has been particularly desirable in view of the fact that the author has resided in the state for nearly a score of years, and expects to continue to live and end his days in it. The author has moreover had a friendly and pleasant acquaintance with the larger portion of those who sit upon the bench and practice at the bar, as well as with those who have retired from either, and would grieve to know he had done aught to forfeit their good opinion. Lucre has not been the chief incentive to the undertaking and completion of the enterprise. That it may be a fitting and lasting memento to his fidelity, as well as to the virtues of those whose names and deeds go down to posterity on its pages, is his most hoped for reward.



THE BENCH AND BAR OF WISCONSIN.

HISTORY.

FROM the published accounts of the earliest settlement of Wisconsin up to 1823 it is evident that the true status of judicial authority among the settlers was of a very uncertain character. It seems to have been divided between the commanders of military posts and inferior local magistrates, the military predominating. The first judicial functionary that made an advent in the territory of Wisconsin appears to have been Pierre Grignon, who was living at Green Bay as early as 1815, and commissioned justice of the peace by Colonel Robert McDonald, the British commander of the military post at Mackinac. Subsequently James Porlier, a Frenchman, was appointed a justice of the peace for Green Bay under the British authority, the date of which is not given. The same magistrate was made chief justice of Brown county in 1820, and judge of probate in 1822. That he might be better enabled to fulfill the duties of these offices it is stated that he translated the statutes of Michigan territory into his native French language, thus showing that he must have been a magistrate worthy of the trust.

In 1821 the Michigan authorities appointed Robert Irwin, Jr., justice of the peace at Green Bay.

The first jury trial in Wisconsin was had at about this time at Green Bay before Justice Irwin. Ebenezer Child was plaintiff in the case, and a French-Canadian defendant. James H. Lockwood, who was incidentally at the Bay, appeared as attorney for Mr. Child. Mr. Lockwood had arrived at Green Bay, July 16, 1816, and subsequently settled at Prairie du Chien, but there is no record that he entered into the regular practice of law at either place. In fact he read law for a time before coming to Wisconsin, but never was admitted to the bar. It appears, however, that he became a justice of the peace. It would seem that

other business, at that day, was more lucrative to a man smart enough to be a successful practitioner of law.

Henry Monroe Fisher was justice of the peace at Prairie du Chien before the war of 1812, his commission having been issued by the governor of Illinois territory, of which Wisconsin then formed a part. Mr. Fisher was the father of Mrs. H. S. Baird, which notable and venerable lady is yet living in the city of Green Bay. Of the acts of this early magistrate in the performance of his judicial duties no account has been preserved.

"Previous to the war of 1812 two men at Prairie du Chien became involved in a law suit about a heifer of the value of about eight dollars. The parties were obliged to take a bundle of beaver skins to St. Louis and sell them to pay the expenses of the suit; and the lawyers were disposed to oblige the parties by putting over the case from time to time. The case was continued in this manner until it had cost each of them fifteen hundred dollars, when they took it out of court and settled it."

The early magistrates are supposed to not have been profoundly learned in the law. In fact, few law books were brought to those ancient settlements, and possibly not very extensive legal acquirements were needed. Causes seem to have been decided upon general principles of equity, modified, not infrequently, by the caprice, self-interest, or prejudice of the magistrate. However absurd or irregular or illegal many of these decisions may have been, they appear to have commanded general acquiescence.

The most noted tribunal for the administration of justice at this early period at Green Bay of which there is any account, was by Judge Charles Reaume, whose advent at that point seems to have been coincident with that of the first American inhabitants upon Wisconsin soil, and was about the year 1790.

His judicial career commenced before the beginning of the present century and ended only with his decease. Unquestioned through all these long years, his authority, however obscure its claim to legality, was, however, recognized, respected and obeyed. It is certain that he was his own law-maker as well as law-giver. His original and ludicrous decisions have made him notable to this day. So far as known the holding of his courts was confined to Green Bay.

Writers of early reminiscences say of him :

"There was an old Frenchman at Green Bay of the name of Charles

Reaume, who could read and write a little, and acted as justice of the peace. He had had a commission under George III when Great Britain held jurisdiction over the country, and after it was given up to the American government and attached to Indiana he had been commissioned by Governor Harrison of that territory, which then took in Wisconsin. The laws under which he acted were those of France, and the customs of the Indian traders at Green Bay. He was very arbitrary in his decisions. He was born about the year 1752, at La Prairie, nearly opposite Montreal, of a prominent and respectable family. We early find him at Detroit, and in the service of the British Indian department as a captain; was among the prisoners taken by the gallant Colonel George Rogers Clark at the capture of Vincennes, in February, 1779; and, taking the oath of neutrality, was permitted to return to Detroit. In 1790 he settled at Green Bay, and appears to have been engaged in a small way, in the Indian trade. His first commission of justice of the peace he probably derived from the British authorities at Detroit, before the surrender of that post to the American government in 1796, and he subsequently received a commission from Governor Harrison, of the territory of Indiana. In 1816 and 1817 his home was with John Lowe at Green Bay; and in 1818 he was appointed by Governor Cass, of Michigan territory, one of the associate judges of the court for Brown county; and the same year he removed to Little Kankalin, about ten miles above Green Bay, and there sold liquor to the Indians, not infrequently drinking freely with them and sharing in their frays as well as blackened eyes and bruises. There he died in the spring of 1832, for he was found dead alone in his cabin. He was about seventy years of age. His friends at Green Bay had his remains conveyed there and buried in the old Catholic burial place, which was in the present plat of Astor; but the bodies interred there were subsequently removed to the present burial ground. No tablet marks his grave. He was never married."

Several anecdotes illustrating Judge Reaume's primitive mode of administering justice have been recorded, one of which is: "There was an old Frenchman at the Bay named Reaume, excessively ignorant and grasping, although otherwise tolerably good-natured. This man was appointed justice of the peace. Two men once appeared before him, the one as plaintiff, the other as defendant. The justice listened patiently to the complaint of the one and the defense of the other; then rising

with dignity, pronounced his decision: 'You are both wrong. You, Boisvert,' to the plaintiff, 'you bring me a load of hay; and you, Crely,' to the defendant, 'you bring me a load of wood, and now the matter is settled.' It does not appear that any exceptions were taken to this verdict."

"The county seat, which was Detroit, was so distant and difficult of access, that if a litigant in his court felt himself aggrieved he preferred suffering injustice to going to the trouble and expense of an appeal; so that, practically, Reaume's court was the supreme court of the country. He took care not to decide against any of the traders who were able to bear the expense of an appeal; in fact, the traders made use of him to hold their men in subjection, but never submitted to him the adjustment of any difficulty between themselves. These were left to the arbitration of other traders. It was said of him that a bottle of spirits was the most potent witness that could be brought into his court. At one time at Green Bay a boatman had left his employer and engaged himself to an American concerned in suttlings for the troops at Fort Howard, and Judge Reaume was applied to, asking what the law was in the case and what could be done. He answered, in broken English, 'I'll-make-de-man-go-back-to-his-duty.' The inquiry was reiterated, 'Judge Reaume, is there no law on the subject?' With a feeling of conscious dignity he replied: 'We-are-accustomed-to-make-de-men-go-back-to-their-bourgeois.'"

Many amusing incidents are related of the quaint old judge, and of the nature of his judgments. In one case a man was sued by a Frenchman on an account, and summoned to appear before Judge Reaume. The summons was returnable at two o'clock in the afternoon, but the defendant forgot the hour. Four o'clock arrived, when he bethought himself of his remissness. He immediately repaired to the hall of justice, first taking the precaution, however, to slip into his overcoat pocket a bottle of good old whisky. On entering the presence chamber he found the cause decided against him, the plaintiff exulting in his success and the judge rigid and dignified — the defendant had defied his authority and disobeyed his mandate! In vain did the delinquent attempt to thaw the ice of the judge's cold reserve and obtain a rehearing. Failing in all his efforts, the defendant rose from his seat, and approaching the door of an inner apartment invited the judge to follow. This he did reluctantly. When safely out of sight of the other party, the defend-

ant slowly drew from his pocket the aforesaid black bottle and placed it on the table, where were already glasses and water. The stern features of the judge suddenly relaxed. It was an easy matter to prevail upon him to taste the tempting beverage; it was, indeed, so good, that he repeated the dose, and like many other great men before him, lost his resentment in his love for good liquor. The judge and the defendant soon re-entered the justice hall, and the plaintiff, who was still present, was required to appear, when he was informed that the court had decided to grant a re-hearing of the case. This was accordingly done, and after a brief examination the former judgment was revoked and judgment was entered against the plaintiff. The latter remonstrated in vain, stoutly contending that the judge had already decided the cause in his favor. All was cut short by the judge declaring that "his first decision was only that the plaintiff should win to lose!"

Upon the whole the administration of justice by the venerable judge was mild and lenient. No cruel or oppressive punishments were inflicted, and in the whole course of his career it is not alleged that he ever exercised that prerogative of judicial power so abhorrent to the feelings of modern reformers and philanthropists, the infliction of the death penalty.

Another early judicial decision is thus related:—It was by an old pioneer settler, a Frenchman, who in character and manners was a perfect gentleman, but was better acquainted with the principles of honesty and fair dealing than with the subtleties and technicalities of the law. According to the laws of the United States, for the government of the land and naval service, "no person who has been enlisted as a soldier shall be liable to arrest or imprisonment for any debt contracted by him during the term of his enlistment." A non-commissioned officer had contracted a considerable debt of a trader, which he refused to pay. Some days before the expiration of his term of service he applied to his commanding officer for a furlough for his unexpired time, which was granted; and, shielded by this, together with his regular discharge, he left the garrison, defied his creditors, and was about to leave the country forever. In those days it was lawful to arrest dishonest debtors and imprison them until they paid their debt or were otherwise discharged. The creditor in this case applied to the old justice for a warrant; it was granted; the soldier was arrested and brought before the magistrate. The accused readily admitted the justness of the debt, but pleaded the law of the United States, which protected him as a soldier from arrest.

After patiently hearing his defense, the justice proceeded to give judgment in favor of the plaintiff for his debt and costs. The plaintiff immediately demanded execution against the body of the defendant. This too was granted. The soldier remonstrated with the justice, saying he was a soldier of the United States army, and as such was exempted by law from arrest for debt, and concluded by assuring the justice that "he did not understand him." The phlegmatic justice, who did not speak very plain English, thus emphatically explained his meaning: "You-do-go-to-de-jail-and-stay-there-until-you-pay-de-debt, and-you-will-understand-me-very-well!" The result was that the defendant rather than go to the place mentioned, pulled out his purse, paid his debt, and went on his way—not rejoicing. The upright old magistrate would not admit the reasoning that required an honest citizen to pay his debts and a hard case, because a soldier, go scot free.

In another case he had decided for the plaintiff when an influential man humorously suggested to him that the verdict, in justice, belonged to the defendant. The judge calling the plaintiff back and asked him how he understood the decision. "I won," he replied. "Yes," said the justice, "you won to pay the costs!"

There was a noted case brought before him by a young lady for seduction and breach of promise. After hearing the testimony the honorable court rendered judgment that the seducer was to purchase a calico dress for the injured lady, and two dresses for the baby, and the constable to pay the costs by splitting a thousand rails for the judge. The decision was complied with; the judge agreeing to board the constable while doing the work.

"Old Judge Charles Reaume was a man of great importance at 'the Bay.'" When he held his courts he would dress in his British uniform, red coat and cocked hat, and put on an air of pompous dignity. The veritable coat is preserved among the ancient mementos in the archives of the State Historical Society at Madison.

"The Bay at this time was unblessed with anything in the nature or calling of a priest, but it did rejoice in the possession of a magistrate, who had enjoyed the office of judge time beyond the memory of the oldest inhabitant; and long had all the business of the colony been regulated and kept in order by the awe-inspiring authority and portly person of Judge Reaume. No person there could tell when his official duties first devolved upon him, nor from whence his authority was derived.

It was sufficient that it existed, and no one disputed his authority or appealed from his decision; for, in truth, there was no power above him. Before him all complaints were brought, all wrongs redressed, marriages celebrated, and for doing which he had fixed fees. In the case of marriages — of which it was discovered he kept some kind of a record — if the parties had remained in cohabitation beyond the stipulated time he would send for the man, order the engagement renewed, or punish him by fine for contumacy, thus securing an additional fee for his own pocket, as well as enforcing a proper respect for the laws and customs of the country, and deference to his magisterial dignity."

At one time a vagabond French desperado was arrested for an act of violence to a half breed Indian girl. The case was rather broadly made out against him, which excited the ire of the good judge to such a degree that he sentenced the fellow to buy the girl a new frock — it having been proven that her own had been torn in the scuffle — and to work one week in the judge's garden!

It was reported, but it was not known with what truth, that his library was enriched with two odd volumes of Blackstone, but whether in French or English was not learned.

A gentleman had a dispute with a troublesome fellow on some trifling matter, and upon application of the man, Reaume sent a summons to the gentleman, which, instead of being on paper with name and seal, the constable exhibited the well known large jack-knife belonging to the judge, which had long been made to serve that purpose. On the day set for appearance the defendant broke ground for the judge, and stopping at a store on the way, bought some cheap article. On approaching the office he found the judge at the door, who at once exclaimed to him in his broken English, "You-may-go-away—go-away, I have given judgment against ye." "Good morning, judge." "Good morning; I has given judgment against ye." "Coming along by Burgan's store I saw this small coffee-pot hanging out, and I bought it to present to you, judge, will you do me the pleasure to accept it?" "O-yes-tank-ye-tank-ye-kindly, very much 'bliged to ye." "Judge, I don't owe that fellow anything." "You don't?" "No, I have really overpaid him." "The rascal; I reverse my judgment, and he shall pay de costs."

Now, it must not be imagined by this that Judge Reaume was a bad man. He was the reverse of that, but followed the temper of the times, and bowed to the current of the customs of the county, rather than un-

dertake the labor of changing or rising above them. The quiet acquiescence of the people in his authority for so long a time, and the sufferance of his rule and sway under successive British and American supremacy, and possibly under French too — for he may not have surrendered until after Montcalm and Cornwallis did — is an argument, at least in favor of the mildness of his administration. Nor was he deficient in intelligence, and he possessed much of the natural politeness of the better class of the rural French."

Green Bay and Prairie du Chien having been nearly contemporaneous in settlement, and the two earliest settlements of the state, the judicial history of both of them, notwithstanding their distance apart, is, to a considerable extent, intimately related.

Fort Crawford, at Prairie du Chien, was garrisoned in 1816, and, "although in a time of peace, the officers of the army treated the inhabitants as a conquered people, and the commanders assumed all the authority of government of a conquered country, arraigning and trying the citizens by court-martial and sentencing them to ignominious punishments. Some of these arbitrary acts were often at the instigation of favorite under-officers."

At both posts courts were held by the military, who dealt promptly with offenders, and their decrees were rigorously and summarily executed. The proceedings may have been arbitrary, and possibly not invariably just, but they were probably adapted to governing the mixed population of English, French, Canadians, Indians, and half breeds, who at that early day composed the inhabitants of that wild region, and it may readily be inferred that they were neither very sensitive nor scrupulous.

In litigation, however, between parties that were in no way connected with the military, a fair trial of the causes was undoubtedly instituted, and, in general, substantial justice was, probably, realized as nearly as those rude times permitted.

It was said, that about 1809 or 1810, a trader, an Irishman by birth, of the name of Campbell, was appointed by the governor of the territory of Illinois a justice of the peace at Prairie du Chien. The currency at that time was flour, and Campbell charged a man for performing the marriage ceremony one hundred pounds of flour, and afterward for dissolving the union two hundred pounds, alleging that when people wanted to get unmarried they would willingly give double what they would originally to form the matrimonial connection.

Nicholas Boilvin, a Canadian of French extraction, was clothed with the dignified office of justice of the peace at Prairie du Chien. He had about the same amount of education as Judge Reaume, of Green Bay, and about the same idea of justice, and was nearly as arbitrary. His law library consisted of a single volume of old statutes of the Northwestern territory, one of that of Illinois, and one of Missouri territory; but in deciding cases he paid no attention to the statutes, deciding according to his idea of right and wrong.

Colonel Boilvin's two volumes probably formed the first law library in Wisconsin, except, perhaps, Judge Reaume's single volume of Blackstone. One of Boilvin's volumes is now, by the courtesy of Judge Lockwood, among the collections of the Wisconsin Historical Society. He did not probably often consult them, judging from his off-hand manner of administering justice.

Colonel Boilvin's office was just without the walls of the fort at Prairie du Chien, and it was much the habit among the officers of the garrison to lounge in there of a morning, to find sport for an hour, and to take a glass of brandy and water with the old gentleman, which he termed taking a little "quelque-chose." A soldier, named Fry, had been accused of stealing and killing a calf belonging to M. Rolette, and Bell, a constable, had been dispatched to arrest the culprit and bring him to trial. While the military gentlemen were making, that morning, their customary visit to the justice, a noise was heard in the entry, and a knock at the door. "Come in," cried the old gentleman, rising and walking toward the door. Bell—"Here, sir, I have brought Fry to you as you ordered." Justice—"Fry, you great rascal! what for you kill M. Rolette's calf?" Fry—"I did not kill M. Rolette's calf." Justice shaking his fist—"You lie, you great rascal! Bell, take him to jail. Come, gentlemen, come, let us take a little quelque-chose."

J. H. Rockwood went to Prairie du Chien to reside in 1816, and was a justice of the peace there.

When Wisconsin was divided into Brown and Crawford counties, in 1818, Boilvin was commissioned by Governor Lewis Cass, of Michigan, to administer the oath to the officers of Crawford county.

The territory comprising Wisconsin was added to Michigan in 1818, when the counties of Brown and Crawford were organized, the former comprising the eastern and the latter the western half of its territory. At the same time a judicial system seems to have been provided, for in

the same year Mathew Irwin was appointed, by the president, chief justice, and Charles Reaume and Benjamin Chittenden, associate justices. Of this array of judicial functionaries no record or tradition exists, showing that any court of the kind was organized.

"From 1816 to 1824, although Wisconsin was a part of Michigan territory and nominally under the protection of the flag of the Union, but little of parental care was bestowed upon her citizens in civil life by the general government. The rule that bore sway was essentially military. No courts were organized, and criminal offenders against the laws were either sent to Detroit for trial or, more usually perhaps, allowed to escape punishment. The civil code was limited and but sparingly administered. But the military code, such as it was, more than supplied the deficiencies of the civil. While this state of things continued it occasionally happened that some military genius, possessed of more tinsel than discretion, became the commanding officer; and, to mark the era of his reign, would exercise his little brief authority in an arbitrary manner, and thus contrive to render the condition of the citizen as uncomfortable as possible. Instances of high-handed oppression and injustice were in the early days of our history frequently committed by some military martinet upon the persons, liberty or property of those whom they were sent to protect."

"An affair of this character occurred at Green Bay, where two citizens were arrested by the sentinel in open day and marched to the fort, charged with having dared to land on the fort side of the river without permission from the commanding officer. In this instance the military was compelled to succumb to the civil authority; the officer by whose orders the parties were arrested was prosecuted for the outrage, and considered himself fortunate in escaping with a fine."

"It has been remarked that during the period of eight years prior to 1824—the year of the advent of Judge Doty—the country was principally subjected to military rule. It was not, however, entirely so, as there was a species of civil authority exercised in the parts of the country where there were white inhabitants, and which in many respects was quite unique and amusing."

While minor causes continued up to 1824 to be arbitrated by the military and local courts, such as they were, appeals of the more important litigations had to be taken to Detroit, the capital of the territory. The formidable undertaking of parties in suit with their witnesses to

make the journey all the way from these remote settlements to Detroit may be readily imagined. It would be accounted a hardship even at this day of steamships and railways. Then it could be made only during the season of navigation in canoes and vessels. The inability of those who could not accomplish this journey of four hundred miles from Green Bay, and eight hundred from Prairie du Chien, and the greater difficulty in getting witnesses there, virtually deprived them of their right to be heard by the territorial supreme court.

"Wisconsin formed at that period in name, but scarcely in affinity, a part of the territory of Michigan. The laws then in force were crude and ill advised, some of which were really disgraceful to those who enacted them—such, for instance, as public whipping and selling offenders into servitude for a period not exceeding three months, simply for the commission of mere petty offenses. These laws were enacted by a legislative board, consisting of the governor and judges of the territory, who received their appointments from the general government and were in no way amenable to the people who were to be governed by their enactments."

"At the period alluded to, imprisonment for debt was the law; but the territorial legislature generously enacted that no person should be imprisoned when the debt or damages in the execution did not exceed the sum of five dollars. Jurors knowing anything relative to the matter in dispute were required to disown the same in open court. The fees of counsel and attorneys in the supreme court in civil suits was five dollars, and, if settled out of court, one-third of that sum. The salary of the attorney-general was twenty-five dollars per annum."

"In the year 1816 a small book of one hundred and forty pages was published, containing at length a part of the laws then in force, and only the titles to the larger number, the funds of the territory not being sufficient to print a complete copy of all the laws."

"The territorial government was very much restricted in its powers and was treated by the federal government as a colony rather than as a separate political organization. All territorial officers were appointed by the President, and all laws enacted by the legislative council, if disapproved by congress, became null and void, and until 1823 the governor had no pardoning power."

As Wisconsin was a part of Michigan from 1818 to 1836 it may be of interest to refer to the state of the judicature of the territorial gov-

ernment of that long period. On the organization of the Michigan territorial government the judiciary appointed by the President was composed of three judges whose terms of office were during good behavior until March 3, 1823, when the term was made four years. Singularly enough, the framing of the laws was placed in the hands, conjointly, of the governor and judges, subject to disapproval by congress. The three judges formed the supreme court, and were invested with both civil and military jurisdiction. It is a part of the history of those days that the members of this august court did not affiliate any too well, and, as a consequence, often failed of unanimity in their decisions. This want of harmony was more marked when these legal sages were in council as legislators than when sitting on the bench.

Lawyers of those early days were often shrewd and unscrupulous, and when any of them desired to be sure of winning a particular case would frame a bill to meet his wants and lobby it through the legislative body, which might not have been a very formidable undertaking, inasmuch as the council consisted of only four persons. Lawyers received the magnificent fee of five dollars for trying a case, and when the case was settled before going into court the fee was one-third that amount. But then a little money went a great ways in the simplicity of those times.

The laws then in vogue were in keeping with the old English laws; there was imprisonment for debt that exceeded five dollars; whipping was used for offenses of inferior character, or the delinquent hired out by the constable for a specified time for the highest wages then prevailing, to be applied to the benefit of the poor that were a charge on the county. The Puritan laws were imitated in providing for the punishment of witchcraft by fine or imprisonment; yet another law enacted that those practicing that and kindred mysterious and mischievous arts should not be prosecuted; an inconsistency that cannot readily be accounted for.

That slavery formed a feature of that enlightened civilization, inasmuch as a mulatto, negro, or Indian slave could be doomed for misdemeanors to corporal punishment short of imperiling life or limb. A commendable enactment, however, abolished appeal for murder and taking the "benefit of clergy."

"In January, 1823, an act of congress provided for the appointment of an additional judge of Michigan, his jurisdiction to comprise the coun-

ties of Brown, Crawford and Mackinac. The court had concurrent civil and criminal jurisdiction with the supreme court of the territory, subject, however, to have its decisions taken to the supreme court by writ of error, but no jurisdiction in admiralty and maritime cases, nor in specified cases in which the United States should be plaintiff."

• James Duane Doty became this judge, January 30, 1823.

"The terms of the court were to be held annually at Prairie du Chien in May, Green Bay in June, and Mackinac in July. Judge Doty did not arrive in the district until midsummer of 1823, and no regular court was held that year. A special term of the court was appointed to be held for trial of criminals at Green Bay."

The next year the term of office of judge of the district was extended to four years, and Judge Doty was reappointed February 28, 1824, to fill out the extended time. The first term of his court for Green Bay was set for June 20, 1824. The judge failed to appear at the designated time, and the clerk adjourned the court from day to day for ten days, when he finally adjourned it to October 4, succeeding. In the meantime the judge received his commission from President Monroe, and on the day for opening the court produced it, was sworn in, and took his seat upon the bench.

At that time Henry S. Baird was quite a young man, residing at Mackinac. He appeared at this term of court at Green Bay and was admitted to the bar as an attorney by Judge Doty, who then appointed him district attorney — the first to hold that office in Wisconsin. The same year Mr. Baird moved to Green Bay, and was the first regular lawyer to settle down to practice on Wisconsin territory.

Singularly enough the advent of this court gave offense to the old settlers, as seeming to encroach upon their old customs and habits, and as, perhaps, placing them under restraint to which their free mode of life in that wild country had made them strangers. They called it an infringement on their magna charta.

At the first term of this court at Green Bay the first grand jury in Wisconsin was impaneled. A large amount of business was brought before it. Forty-five indictments were found and presented to the court — one for murder, on which there was a conviction; some for assault and battery, larceny, selling spirituous liquors to the Indians, and last, but not least, twenty-eight cases for cohabitation without the marriage rite of civilization.

At an early day a class of settlers adopted the Indian custom of taking squaws for wives without the marriage ceremony usual in civilized communities. Upon the advent of Judge Doty to magisterial authority at Green Bay, twenty-eight of the men holding domestic relations of this undefined character were summoned to answer to the charge of illegitimate domestic relations, were commanded to submit to marriage rites and then to be let off with a nominal fine of one dollar and costs, or be fined fifty dollars, and all but two of them obeyed the mandate and married their Indian women.

One case of this kind excited considerable amusement in court. A party, who had been indicted at the first term, had refused to marry, and paid a fine of fifty dollars — yet continuing to live on in the same style of connubial felicity, was indicted at a subsequent term. Before the grand jury made the presentment to the court the delinquent was informed of the finding of the bill, and advised to marry before the opening of the court the next day. This he concluded to do, and early in the morning he called on a justice of the peace and had the ceremony duly performed. At the opening of the court he appeared and presented the marriage certificate, saying, "There now. I suppose you are satisfied as I have married the squaw." He was permitted to "go without day."

According to the rulings of courts of later years, had these cases obtained at the present day, those marriages of affinity would probably have been adjudged legally binding upon the parties.

By the law of the state of New York a man and woman who are competent to marry each other, without going before a minister or magistrate, without previous public notice given, with no form of ceremony, civil or religious, and with no record or written evidence of the act kept, and merely by words of present contract between them, may take upon themselves relation of husband and wife, and be bound to themselves, to the state and society as such. And if after that the marriage is denied, proof of actual cohabitation as husband and wife, acknowledgment and recognition of each other to friends and acquaintances and the public as such, and the general reputation thereof, will enable a court to presume that a bona fide marriage.

The court for Crawford county was held at Prairie du Chien. To reach that place from Green Bay the passage was made in bark canoes by the way of the Fox and Wisconsin rivers. Annual journeys were undertaken between the two points from 1825 to 1828 by the judge and

district attorney in one canoe. It was manned by seven Indians, and the trip each way occupied about seven days. Mr. Baird, who was the district attorney, usually took his family along. Mrs. Baird, who is now living, relates that the journey was rendered very enjoyable by its sociability and novelty. It was through a wilderness country, on wild waters, and no white inhabitant found along its entire course.

In 1829 Morgan L. Martin came to Green Bay and subsequently was admitted to the bar by the court, and in May of the same year, he and Judge Doty and H. S. Baird, with a Menominee Indian for a guide, traveled on horseback from Green Bay to Prairie du Chien and back. They were the first white people to make the journey by land. It took them seven days, during which they saw no white person. Their way led through an unexplored country and their course took them through what is now Fond du Lac, Green Lake, Madison, Blue Mounds and Dodgeville, crossing the Wisconsin river six miles above its confluence with the Mississippi. At those early days courts were held in rooms in log dwellings, log school-houses and barns in an emergency, as was the case at its term at Prairie du Chien in May, 1826, when the site of the town was inundated by a rise of the Mississippi and Wisconsin rivers.

"It will naturally be imagined that, under such circumstances, court could not be held. But not so — a large barn, situated on dry ground, was fitted up for the occasion. The judge and attorneys occupied the extensive threshing floor, and the jurors, the mows. When the latter retired to make up a verdict, they were conducted by an officer to another barn or stable."

Upon the discovery and development of lead mines in the southwestern portion of the state, settlements were made there, and becoming of importance that section was set off from Crawford and constituted Iowa county, Mineral Point made the county seat, and courts were held there as well as at Prairie du Chien and Green Bay.

In 1832 Judge Doty resigned his seat on the territorial bench. Judge Doty was succeeded as territorial judge by David Irvin, of Virginia, who continued in the office until the organization of the territory of Wisconsin, when he became one of the associate judges of the territorial supreme court.

THE TERRITORIAL COURTS.

The territory of Wisconsin was established by act of congress, April 20, 1836, and went into effect July 3, 1836. It comprised what is now the states of Wisconsin, Iowa, and the portion of Minnesota lying west of the Mississippi river. The judiciary of the territory was vested in a supreme court, district courts, probate courts, and justices of the peace.

The supreme court was composed of a chief justice and two associate justices, appointed by the President, and the first of these officers were: Charles Dunn, chief justice; David Irvin and William C. Frazer, associate justices. They were inaugurated into these offices conjointly with the new governor and secretary of the territory, at Mineral Point, July 4, 1836, that place having become the chief point of population and business in the new territory.

"A question arose as to the residence of Judge Irvin, who, it seems, resided in Ohio or Virginia, excepting when holding courts in the territory. The people of Green Bay deemed the office vacant on account of the non-residence of Irvin, and petitioned the President to appoint a judge in his stead, and Mr. Burnett's name was presented to the President to fill the vacancy. But the vacancy was not recognized, and, of course, no appointment made."

It appears that Judge Frazer held his first court in Milwaukee and his last at Green Bay, in October, 1838, when he got dead drunk, was put on board a vessel bound for Milwaukee; on its arrival at the latter port the judge was landed and taken by a friend to his house, where he shortly after died from the effects of his debauch, and was buried neglected by his legal brethren.

Judge Frazer first arrived in the village of Milwaukee upon a pleasant Sunday evening in June, 1837. He put up at the Cottage Inn, kept by Levi Vail, and then looked around for something social. He fell in with a party of his old Kentucky friends, among whom was Colonel Morton, who was then register of the land office. The judge eagerly accepted an invitation from the colonel for a game of poker. At first a small sum of money was staked, then larger; the excitement ran high; game after game followed; the small hours of Monday morning were rapidly becoming larger. Judge Frazer finally arose and apologized, remarking that the grand jury were to meet at 10 o'clock, that he had a charge to make to them, and would have to go. He then took break-

fast, and entering the court room opened court in a style that did not favorably impress the members of the bar present. He was finely dressed, was very tall, with large head, red face, and a voice rough and unpleasant. It became his duty then and there, as district judge, to read to the jury the laws leveled against gambling. He not only read it, but edged on, perhaps, by his bad luck in cards since coming to Milwaukee, he not only read the law, but added some remarks to the end that 'a gambler is unfit for earth, heaven or hell, and God would shudder at the sight of one.' This was but the commencement of a course which aroused to a man the members of the bar practicing in his court. Being in a new and undeveloped country, he seemed to delight in setting at defiance not only the bar, but the plainest principles of law. A number of important criminal cases were tried before him at this term of court, and among those who were employed in them were the distinguished Jonathan E. Arnold, on the defense, and Horatio N. Wells, prosecuting attorney.

The district courts exercised the like jurisdiction as that of the circuit and district courts of the United States, and a marshal of the territory was appointed by the President. The government of the territory was organized July 4, 1836. Until the ensuing legislature provided laws on the government of the territory, the courts administered the laws of Michigan, and when sitting as United States circuit and district courts they were governed by the laws of congress in all criminal as well as civil causes.

As before named the territory was divided into three judicial districts, and each district court was to be held by one of the judges of the supreme court. These same judges composed the supreme court, and the anomaly was presented of judges sitting as a supreme court to act upon appeals from their own decisions as district judges. The supreme and the district courts possessed both chancery and common law jurisdiction, and appeals could be made to the supreme court of the United States when the amount in litigation exceeded one thousand dollars. At the first session of the territorial legislature the counties of the territory were formed into three judicial districts. To Judge Dunn was assigned Crawford and Iowa counties for the first district; to Judge Irvin, Dubuque and Des Moines for the second; and Brown and Milwaukee to Judge Frazer for the third. Sitting as a supreme court, the first term held by these judges was at Belmont, commencing December

8, 1836. The chief justice and Judge Irvin only appeared on the bench. John Catlin was installed as clerk. The first act of this court was to administer the oath of office to H. S. Baird, who had been appointed the territorial attorney-general. The court having now fully organized, the only business of the term was the admission of H. S. Baird, John S. Horner, Parley Eaton, James Nagle, James H. Lockwood, William R. Smith, Hans Crocker, William N. Gardner, Joseph Yeas, Thomas P. Burnett, James B. Dallam, Barlow Shackelford, Lyman J. Daniels, William W. Chapman, James Duane Doty, David G. Fenton, and Peter Hill Engle, as attorneys. Madison, the new capital of the territory, having been designated as the place in which to hold annual sessions of the supreme court, the court adjourned to meet at Madison in July, 1837. In that year, there being no business to come before it, no session was held.

The succeeding year the annual term of the court was held in July, at Madison, in which city all the terms of this court have since been holden. At this term Chief Justice Dunn and Judge Frazer only were present, and they admitted Jonathan E. Arnold, H. N. Wells, Francis J. Dunn, F. H. Lovell and William H. Banks. The rules of this court numbering one, two and three were adopted, and some motions argued, when the court adjourned.

During the latter part of the summer of 1835 James D. Doty and Morgan L. Martin were sent to Detroit as territorial delegates, and when they returned they brought with them a commission to Albert Fowler as justice of the peace. It was signed by Steven G. Mason, governor of the territory of Michigan, and was the first paper of the kind issued outside of Brown and Crawford counties.

Justice Fowler's jurisdiction extended over nearly one-half of the present state, comprising all the territory east of the Rock river; but history fails to record that his justice business was brisk.

July 4, 1836, N. F. Hyer was commissioned by Governor Dodge justice of the peace and judge of probate at Madison. At the same time Daniel Wells, jr., was also commissioned justice of the peace for Milwaukee.

The first case tried before Justice Wells was one in which a culprit was fined five dollars and costs, one half of which were the fees of the justice, and the other half was to go to the county treasurer, and the humor of it was, the same justice was the county treasurer.

The territory comprising Iowa was separated from Wisconsin, July 4, 1838, and on July 15, Moses M. Strong was commissioned United States district attorney for the territory of Wisconsin, as successor to Mr. Chapman.

February 8, 1839, Chauncy H. Peak was commissioned by Governor Henry Dodge a justice of the peace for the county of Milwaukee.

On November 19, 1838, Andrew G. Miller, of Pennsylvania, was appointed by President Van Buren to fill the vacant place on the bench of the supreme court, and he took the oath of office December 10, following. He made his residence in Milwaukee, where he was "sworn in" by J. S. Rockwell, a justice of the peace.

In July, 1839, the annual session of the supreme court was held for the first time with a full bench. Heretofore all documents issued by this court requiring a seal received only the stamp of the clerk, impressed upon a wafer or upon sealing-wax. Consequently the court at this time provided for a seal for its use.

H. S. Baird, the attorney-general, failing to be present, F. J. Munger, by request of the court, performed the duties of that office for the session. Attorneys appeared and argued some few cases and decisions rendered thereon. F. J. Munger, W. N. Seymour, John Catlin, and N. F. Hyer were admitted to the bar. John Catlin resigned his office of clerk, and Simeon Mills was appointed, and La Fayette Kellogg deputy clerk; and rules number five and six were added to the code of practice.

Mr. Mills resigned at the July term of 1840, and Mr. Kellogg was promoted to the office of chief clerk, and held the office during the existence of the territory.

At this sitting the court adopted rules numbering from seven to sixteen, and number seventeen was added in 1843, which completed the rules governing the practice in the court until its last term, in August, 1847.

Rules of practice for the district courts were instituted by this court at its regular term in July, 1840, and were such as the profession cheerfully approved, and which subsequently became substantially the rules governing the United States district courts for the state of Wisconsin. These rules proved by their simplicity very useful to the practitioner, in relieving him from the production in court of elaborate papers in his cases, and confining him to the more satisfactory rule of preparing briefs.

On July 4, 1838, the territory of Iowa was organized, leaving to Wisconsin the territory east of the Mississippi river. Accordingly, a new division of counties into judicial districts was made for Wisconsin, in 1839, by the legislature. The first district was composed of Crawford, Grant, and Iowa, and assigned to Judge Dunn; Rock, Green, Dane, Jefferson, and Walworth, the second district, was assigned to Judge Irvin; and Milwaukee, Racine, and Brown, the third district, and assigned to Judge Miller. For judicial purposes unorganized territory was attached to contiguous counties in these districts.

The legislature of 1838 appointed A. L. Collins, M. L. Martin, and Marshall M. Strong, of the council, and Whiton, Shackelford, and Story, of the house, a committee to revise the laws of the territory, which duty was performed by them during the recess of the legislature, their revision accepted by the succeeding legislature, and became the territorial statutes on July 4, 1839. The volume in which they were published was enhanced in value by the marginal notes prepared by Judge Whiton, of the committee, to whom the duty was entrusted, in connection with his supervision of printing of the work and making the index. With incidental changes from year to year by the legislature, these statutes were in operation ten years, when the organization of the state necessitated a new code.

The territorial laws were mainly abstracts from the statutes of Ohio, Massachusetts, and, chiefly, New York. Previous to their adoption by constituted authority the usual claim laws of squatters and minors then in vogue necessarily became inoperative, and the regularly constituted enactments succeeding them proved well adapted to the condition and wants of all classes of the early settlers in the wild and expansive country they inhabited.

"Before lands were brought into market by the president's proclamation, the settlers had adopted a system for their mutual protection. The settler who first entered on a quarter section of land, or a fraction of a section, was protected in his possession against jumpers of his claim. By the settlers' code the jumper was summoned before their committee, who summarily disposed of the case. If the complainant was found to be an actual settler and entitled to his claim, the jumper was made to surrender without delay. There was no resisting the judgment of the committee, for the whole town formed a posse to enforce the decision. This was, under the circumstances, a wise and humane provision for the

early settlement and improvement of the country; and in many instances prevented personal quarrels.

"In the early days of the territory, immigrants from Eastern states purchased of the settlers claims on government lands, and for a portion of the consideration gave them personal obligations. A great number of actions were brought on those contracts, which were defended against on the ground that the settler being a trespasser on the lands the contract was void. The courts held such contracts valid, notwithstanding the settler may be considered strictly in the light of a trespasser on government lands. Where the government had not dispossessed either the original settler or the purchaser, and the settler had made some improvements or done some work on the land, possession was secured to the occupant, by the settlers' rules, until the land was sold by the government. The miner who had prospected and discovered mineral, claimed a right to work the mine subject to a certain royalty. The action of ejectment and trespass under the revised statutes, superseded those primitive systems."

The statute laws of the new territory were framed in conformity to the constitution of the United States, establishing grand juries; speedy and impartial trials by juries for accusations of crime, and for juries in civil cases.

To meet these requirements grand and petit juries were summoned to meet every term of the territorial district courts. They were paid for their services and travel by the general government for the first week of the term; for the remainder of the term by the county in which the court was held. Causes in which the United States was a party took precedence of all other cases, and were usually heard during the first week of the term.

It is stated that these territorial courts adhered strictly to the technicalities of common law and equity practice, their rulings duly modified by ensuing amendments; and that "many valuable precedents and principles were established by the territorial supreme court." The office of judge during territorial government was no sinecure. "Contracts necessarily made in opening up and improving of the country gave rise to a great amount of litigation. The district courts, especially of the first and third districts, were open a large portion of the year after 1842." In the third district eight thousand cases were disposed of from the last named date to the closing up of the territorial government. During the

existence of the territory the counties of Washington, Fond du Lac, Winnebago, Sheboygan, Dodge, Manitowoc and Waukesha had been organized and added to the third judicial district, and several other counties were formed and added to the other districts.

The official duties of the judges of these courts were greatly enhanced by the enactment by congress of the bankrupt law of 1841, the administration of which devolved upon them. The onerous labors thus imposed may be understood by the fact that the supreme court adjudicated three hundred and fifteen bankrupt cases. Out of this number all but fifteen received a discharge from their old debts.

These debts were chiefly contracted in the eastern states, where they failed in business, consequent upon the bursting of the speculation bubble of 1836. The discharge of the three thousand bankrupts from their financial obligations covered an estimate of two millions of dollars. By the act the judges established their own rules of procedure and bill fees. That they were modest in the latter may rightly be inferred from the fact that the fees in each case averaged less than twenty dollars. The courts of bankruptcy were held in Madison, its sessions ending in thirteen months, the act having been repealed in March, 1843.

During the existence of the territorial courts arraignment of criminals were not numerous, which is creditable to the character of the population, as crimes of various kinds would naturally be expected in a country so new, extensive and sparsely settled.

"The members of the territorial bar, coming from different states, in which diverse and peculiar rules of practice had prevailed, brought with them, and imparted in a great degree to the practice in the territory, the rules and course of procedure to which they had been accustomed, thus introducing confusion and uncertainty, in a degree unavoidable, into the proceedings of the courts. It was thus fortunate for the people of those territorial times that the judges who administered the law were educated, intelligent, learned in the law, of undoubted integrity, and diligent and faithful to their trusts. As supreme judges they sought to arrive at correct results more than to write elaborate opinions. Aided by a bar which was constantly increasing in numbers, very many of whom, in point of intellectual power and legal learning, would have occupied high positions at the bar of any state, the record of their rulings may be regarded by the people and profession with satisfaction and with pride."

There were annual sessions of the supreme court at Madison from

1840 to 1847, but the district courts continued until Wisconsin became a state, May 29, 1848, when their functions ceased, and their places became filled by the organization of courts under the constitution of the state.

THE CONSTITUTIONAL CONVENTION AND ADMISSION OF THE STATE.

For the transfer of the territorial government to that of state government, a convention for the formation of a constitution for the new state was held at Madison in 1846, and the articles then framed, on being submitted to a vote of the people, were rejected. A succeeding constitutional convention, held the next year, submitted to the people a constitution that was accepted, and the state admitted into the Union May 29, 1848.

THE SUPREME COURT UNDER THE CONSTITUTION.

When Wisconsin was admitted into the Union the legislature divided the state into five judicial circuits, and caused a judge to be elected for each circuit by the voters of the circuit. The first election was in August, 1848.

Edward V. Whiton was elected for the first circuit; Levi Hubbell for the second; Charles H. Larrabee for the third; Alexander W. Stow for the fourth; Mortimer M. Jackson for the fifth.

The tenure of office of these judges was so adjusted that the term of one of them should cease at the end of two years and one each succeeding year; the full term to be six years.

The several terms of the first judges were determined by lot. The first and short term fell to Judge Stow, who became chief justice; the second to Judge Hubbell; the third to Judge Whiton; the fourth to Judge Larrabee, and the fifth to Judge Jackson.

Besides holding these circuits these five judges were to sit together as a supreme court for the term of five years, and longer unless otherwise provided by the legislature. One session was to be held annually at the capital, and at such other places and at such times as the legislature should direct.

Causes could be appealed from the circuit courts to the supreme bench. Thus was seen the anomaly of judges, sitting as a higher court, deciding upon cases brought up from their own courts below. This

may have been a doubtful improvement upon the appeal of the defeated Roman, from Cæsar drunk to Cæsar sober.

At the session of 1850 the legislature provided for a sixth circuit, and in July following Wiram Knowlton was elected its judge. In December he took his seat upon the bench of the supreme court.

At the expiration of the term of two years of Judge Stow he declined re-election, and Timothy O. Howe, of Green Bay, was elected in January, 1851, to succeed him in the fourth circuit. Judge Howe took his seat on the supreme bench at the June term of 1851.

The term of Judge Hubbell was the second to expire, and he was re-elected in January, 1852.

At the expiration of the term of Judge Stow as chief justice, Judge Jackson became chief justice, January 3, 1852, but resigned the same day, when Judge Whiton was chosen to the position. From this time on all the judges on the supreme bench held their places until the court was re-organized in 1853. No sitting was held by these judges after the December term of 1852.

The first clerk of this court was J. R. Brigham, of Milwaukee, who subsequently resigned, and on December 12, 1849, S. W. Beall was appointed to the place, and Lafayette Kellogg, deputy; D. H. Chandler was reporter, and published four volumes of the Wisconsin Reports.

THE REORGANIZED SUPREME COURT.

The constitution had provided for the formation of a "separate supreme court" at the end of five years, if the legislature should so determine. During these five years the population and consequent business interests of the state had so greatly increased, it was found that the judges were unable to rightly perform the double duty devolving upon them. Consequently the legislature of 1852 provided for the election by the people of a chief justice and two associate justices, who should compose a supreme bench distinct from the functions of circuit judges. A full term was for six years, and only one of them go out of office at the same time. The former judges were to continue their functions in their respective circuits as circuit judges.

In September, 1852, the election of judges of the supreme court was held, and Edward V. Whiton, of Janesville, was elected chief justice. A. D. Smith, of Milwaukee, and Samuel Crawford, of Mineral Point,

associate justices. Their respective terms were determined by drawing lots. The full term of six years fell to Judge Smith, the four years' term to Chief Justice Whiton, and the two years' term to Judge Crawford.

They took their seats at the term commencing June 1, 1853. La Fayette Kellogg was appointed clerk. Judge A. D. Smith reported the decisions, and the first eleven volumes of the reports of this court were published by him.

The term of two years, for which Judge Crawford was chosen, having terminated, Orsamus Cole, of Platteville, succeeded him on June 1, 1856, and he was re-elected in 1861, in 1867, in 1873, and in 1879. The term of Chief Justice Whiton expired May 31, 1855, and he was re-elected. His death occurred in April, 1859, and Luther S. Dixon, of Portage, was appointed his successor, April 19, 1859, and was elected to the office in 1860, re-elected in 1866, and resigned in 1874.

The term of Judge Smith expiring May 31, 1858, Byron Paine, of Milwaukee, was chosen in his place, and was re-elected in April, 1864. On November 11, 1864, Judge Paine resigned to enter the Union army, and Jason Downer, of Milwaukee, received the appointment. Judge Downer resigned September 11, 1867, and Byron Paine succeeded him, and was re-elected in 1870. Judge Paine died in February, 1871, and William Penn Lyon was appointed by the Governor; was elected to the office in April following, and re-elected in 1876. On June 17, 1874, Chief Justice Dixon resigned, and Edward G. Ryan, of Milwaukee, was appointed his successor, June 16, 1874; was elected in 1875, and died before the expiration of his term, which would have been January 1, 1882. He was succeeded by Judge Orsamus Cole.

For many years the business brought before this court had been increasing so largely that the judges were overworked, and the sentiment generally prevailed that more judges should be added. Accordingly an amendment to the constitution, adopted in 1877, provided for two additional associate justices, and making ten years a full term for all the judges chosen after the passage of the act.

For the new judges to be elected the term of one of them is to expire on the first Monday in January, 1886, and the other the same date in 1888.

In selecting candidates to be voted for by the people for the two new judges the question arose whether the dominant party in the state, which was republican, should elect two republicans or accord one can-

didate to the minority party, which was democratic. It was finally decided to divide the honors. Thereupon Harlow S. Orton and David Taylor were elected in April, 1878, without opposition. The term of Judge Taylor was designated to expire in 1886, and that of Judge Orton is to continue for the full term of ten years ending in 1888. As Chief Justice Ryan was a democrat, who had been appointed by a democratic governor, and Judge Orton is a democrat, the supreme court was represented about proportionate to the relative strength of both of these political parties in the state. At this the people and the legal fraternity were content. The republicans the more so in the selection of Judge Orton for the democratic member of the bench, inasmuch as he was considered more of an independent or conservative in his political views than as strictly a partisan, and moreover as eminently fitted for the position.

In October, 1880, Judge Ryan died, and the question again came up whether a democrat should be placed on the bench. This time it was decided that, the republicans being in power, the new judge should be a republican. Thereupon Judge Cole was promoted to the seat of chief justice, and John B. Cassoday appointed to fill his place as associate justice. The unexpired term of Judge Ryan, which Judge Cole was appointed to fill out, terminating in 1882, Judge Cole was elected for the full term of ten years, chief justice, from January 1, 1882. As the terms of these judges now stand, that of Chief Justice Cole will terminate in January, 1892; Judge Lyon in 1883; Judge Taylor in 1886; Judge Orton in 1888, and Judge Cassoday in 1890.

Clarence Kellogg is clerk of the court, having received the appointment on June 11, 1878, succeeding his father, who died June 4, 1878. Phillip L. Spooner was reporter from 1861 to 1864, when he resigned, and O. M. Conover succeeded him and still holds the position.

The volumes twelve to fifteen were prepared by Judge Spooner, and fifty-two volumes in all have been published, the larger portion of them prepared by Mr. Conover. In 1872 the supreme court, by authority of the legislature of 1870, appointed S. U. Pinney, of Madison, to collect and publish the decisions of the supreme court under the territorial organization, extending from 1836 to 1852. The difficult task resulted in three volumes, and the labor was performed to the satisfaction of the court and the bar.

The decisions of the territorial court to the close of the term of 1840

were prepared by T. P. Burnett, and published in 1841, and the decisions of 1842 and 1843 were also published by him in 1844, but the matter of these books was absorbed in the volumes of Mr. Pinney.

No better illustration can be given of the accredited ability that does now and always has occupied the supreme bench of this state than the fact that decisions emanating therefrom are authority the country over, and the Wisconsin Reports sought for as standard works of equal value to those of New York, which have ever ranked high with the legal fraternity.

The supreme court has been in existence twenty-nine years. During the time twelve judges have occupied seats upon its bench. Of these, seven are living—Judges Cole, Downer, Dixon, Lyon, Orton, Taylor, and Cassoday. The remaining five have deceased—Whiton, Crawford, Smith, Paine, and Ryan. Judges Cole, Lyon, Orton, Taylor and Cassoday are now on the bench. Judges Downer and Dixon have retired by resignation, and, in the practice of the law, Downer in Milwaukee, and Dixon in Denver.

THE UNITED STATES DISTRICT COURTS.

Upon the admission of Wisconsin into the Union on May 29, 1848, the state was constituted one district with one judge for holding United States courts. The term of the judge was to be during good behavior, and his salary fifteen hundred dollars a year. This sum was increased in 1858 to two thousand five hundred dollars, and has since been raised to three thousand five hundred dollars, at which amount it now remains. This salary would seem to be entirely inadequate to the high position and to the duties and responsibilities of the office. To a man of family it affords scarcely a respectable living in the capital or metropolis where the courts are chiefly held. The redeeming advantages are that the appointment is for life, with the privilege to retire at the age of seventy on full pay. On the other hand, when the judge dies what has he been enabled to lay up for his family? With this view of the case it does not appear that the government is exceedingly liberal for a great and wealthy nation.

The act creating the district established stated terms of court to be held at Madison and Milwaukee, the former on the first Monday of July and the latter on the first Monday in January yearly; the judge could also hold special terms at either place in his discretion. Andrew

G. Miller, of Milwaukee — heretofore one of the territorial judges of the supreme court — was appointed by the President judge of the United States district court on June 12, 1848. Judge Miller held this office until January 1, 1874, when he voluntarily retired.

On June 27, 1864, the time for holding these courts was changed to the first Monday in January for Madison, and the second Monday in April and in September for Milwaukee.

By an act of congress of June 30, 1870, the state was equally divided into two judicial districts. One comprised the eastern half of the state, was denominated the eastern district, and was assigned to Judge Miller. The other half of the state composed the western district, to which James C. Hopkins, of Madison, was appointed judge. The regular annual courts for the eastern district were to be holden at Milwaukee on the first Monday in January and October, and at Oshkosh on the first Monday in July; for the western district, at Madison the first Monday in June, and at La Crosse the first Monday in September. On May 9, 1872, congress changed the annual term at La Crosse to the third Tuesday in September.

Upon the retirement of Judge Miller in 1874, James H. Howe was appointed. He resigned in 1874, and Charles E. Dyer, of Racine, was appointed judge for the eastern district February 10, 1875, and now holds the office. Judge Hopkins having died on September 4, 1877, Romanzo Bunn, of Sparta, became his successor October 13, 1877, in the western district, having left the bench of the seventh circuit to accept the office.

THE UNITED STATES CIRCUIT COURTS.

On July 15, 1862, the states of Illinois, Michigan and Wisconsin were constituted by congress a judicial circuit. The terms of this court were to be held at the same time and place as those of the district courts. The previous circuit court jurisdiction held by the district courts was transferred to the circuit court. The district judge was empowered to sit with the judge of the circuit court, and, in his absence, to sit alone.

February 9, 1863, Wisconsin became included in the ninth circuit, and is now comprised in the seventh circuit. The judge is Thomas Drummond, of Chicago. When on the bench of the United States supreme court David Davis held courts at Madison and Milwaukee, and John M. Harlan, of that bench, now holds courts in this state.

EARLY JUSTICES' COURTS.

As incident to new countries much of the litigation during the early settlement of Wisconsin was had before the primitive courts of justices of the peace. The sitting justice was often not learned in the law, nor could it be said that he was up in any branch of learning. It is more than probable his "huge paws" never handled a statute-book, or any law-book whatever, before his appointment to the judicial office. It was an advanced justice who could command more than one volume of statute law. The semblance of equity, not law, was the rule in reaching decisions. A lawsuit was an event in which all the community took part, and each party to the litigation had his respective friends. They numerously attended the trial, and took an earnest interest in the proceedings. The popular side was likely to carry court and jury with it. The lawyers addressed themselves to the multitude as much as to the court or jury, if there were a jury. While some of the lawyers of those days were not notable for either learning, ability or legal acumen, there were those who were men of thorough education and sound legal attainments. Such as the latter naturally fell into the rough ways of the day. The dignity and refinement that usually follows literary culture would have been out of place in the pioneer life of western wilds. Their mission was to win. Addresses to the court or jury were apt to be mere harangues, more vociferous than logical,—appeals to prejudice and passion, and disquisitions upon the personal traits and characters of the litigants and their witnesses. Mr. Whisky was a prime factor in the proceedings. Few escaped an influence so powerful and ready at hand. The anti-treating law had not then been enacted. As an instance in point the following has been related as the actual facts in a murder trial—the case of *The State against Arndt*—for shooting Vineyard in the assembly hall of the old capitol in territorial times:

When the leading counsel for the defense addressed the jury he made a flaming harangue, never once alluding to the case. In fact he had no case. The killing of Arndt was self-evident murder. The eloquent pleader soon became thirsty and sent out for drink, which was brought in a pitcher. The orator drank, and seeing that the jury had the appearance of being thirsty also passed the pitcher to the foreman, who drank and passed it to the other jurymen. After a time the pleader, in the way of illustrating a point, alluded to the pitcher as hav-

ing a handle all on one side, which led him to take it up, in doing which he again drank, and, not to be selfish, handed it over to the foreman, who likewise passed it to his companions. After a while allusion to the pitcher was repeated, and the same round of imbibing its contents was indulged in, and thus it went on till the drink and the address were both exhausted. The verdict was acquittal. To the knowing ones it subsequently transpired that the pitcher contained whisky.

A few anecdotes concerning the earlier courts may not be out of place here. We begin with the district court of the territory. Judge Irvin was on the bench, and a murder trial was pending, and G. T. Long, familiarly known as "Lucy" Long, was under-sheriff. The difficulty seemed to be in getting a jury which knew nothing about the facts of the case. The regular panel had been exhausted in this effort, and a special venire had been issued, and was finally returned. "Well," said his honor, "have you at last secured a sufficient number of jurymen, Mr. Long, who know nothing about this case?" "Yes, sir," replied the polite officer, "six of them know nothing about this case, and the other six know nothing at all."

Afterward, when the state was organized, and Judge Hubbell was circuit judge and holding court in Dane county, an indictment had been obtained against some one for a criminal offense, and by some oversight of the prosecuting attorney the indictment neglected to state where the crime was committed. Col. Botkin and several other attorneys had been retained for the defense, and after mutual consultation they had concluded to move to quash the indictment, but none of them had discovered the real and fatal defect in the indictment. Hours were spent in argument on other points, all of which were overruled by the court, who then added, "But the indictment has a fatal defect, which counsel seem to have overlooked, and that is that it does not state in what place or county this crime was committed." "Yes, your honor," exclaimed Col. Botkin, springing up; "ahem! certainly, your honor, but we had concluded to reserve that point for a subsequent motion in arrest of judgment," and he sat down, while his astonished associates smiled incredulously.

And now comes one more in relation to the circuit court of Dane county. Our distinguished fellow-citizen, the late Judge L. B. Vilas, had brought suit against a railroad company for the value of a lot, and demanded judgment for one thousand dollars. The company admitted the

purchase of the lot, but claimed that the Judge had agreed to take his pay in railroad stock. The latter admitted this to be true on condition that the stock should be delivered to his agent within a certain limited time, but claimed that the railroad had neglected to comply so long beyond the time that the stock had become worthless. All this was clearly proved, and it was also proved that the stock was left with the Judge's agent, long after the time had elapsed, however. The court charged the jury that if they found this to be so they must find a verdict for the plaintiff. The jury retired, and everybody supposed that they would return an immediate verdict for plaintiff, but to the surprise of the court and bar they were out for hours. When one of the jurymen was asked the reason of this strange delay in so plain a case, he said that they had balloted a great many times, and each time it stood eleven for plaintiff and one for defendant, and at last they had discovered who the one was, and demanded his reason. "Bedad," said he, "I would just like to know what was done with them cattle that was delivered, for didn't they prove that they paid him in stock." It took some time to explain this thing away to the obstinate jurymen.

For many years the "old politicianer," as he was called, was justice of the peace of Dane county. Whether he deserved it or not he had gained the reputation of being an excellent plaintiff's magistrate, deeming it his duty to decide cases in favor of those who brought them. One case in illustration of this rule of his will suffice. The defendant in this case had utterly exploded the plaintiff's claim, and had made a clear and conclusive defense by overwhelming evidence, but to the utter amazement of all the justice still rendered judgment for the plaintiff. "How could you decide thus?" demanded the defendant afterward. "Had to," was the reply; "but," continued he, "you just appeal it, and you will knock that judgment higher than a kite."

The late Major Geo. P. Thompson told the writer the following about a justice in his town. The major had been sued on his note given for twenty dollars, but it turned out on the trial that the note was not then due. The justice was about to dismiss the suit when the major said that he had been dragged into court without cause, and he wanted compensation as damages. "True," said his honor, "I forgot that; you are right," and then turning to the plaintiff, with a stern aspect, he said: "Young man, stand up and hear the sentence of the court. You have done a great wrong; in fact it comes very near a tort, and I sentence you to pay the defendant twenty dollars alimony."

One more about our "old politicianer." Two lawyers got to quarreling before him in the trial of a cause. Words led to blows, and a regular pitched battle ensued. They tumbled over chairs, fell under the table and pummeled each other for several minutes, while the court looked on quietly, and smoked his clay pipe. After the battle was over both asked the justice how much was to pay? "For what?" demanded he. "For contempt of court," was the reply. "There was no contempt of court," said he, "it's all right; go on with the case, call the next witness."

BIOGRAPHY.

JUDGES TERRITORIAL COURTS.

JAMES DUANE DOTY, Menasha, was a native of Salem, Washington county, New York, where he was born in 1799. In the year 1818 he settled in Detroit, Michigan; and, a young lawyer of good repute, he was next year admitted to the supreme court of that territory, and was the same year appointed secretary of the legislative council and the clerk of the court. In the winter of 1823 congress passed an act to provide for the appointment of an additional judge for the Michigan territory. From the numerous applicants for the place President Monroe selected James D. Doty, of Detroit, for the new judge for what is now Wisconsin, Iowa and Minnesota.

Judge Doty lost no time in entering on his duties as judge and law-giver to a country sufficient in extent for an empire. He repaired forthwith to Prairie du Chien, organized the judiciary of Crawford county and opened court. He made a permanent residence at Green Bay, where he made his home for twenty years. The judge proceeded to organize courts in Michilimackinac and Brown counties. He continued to discharge his onerous duties for nine years, and until succeeded by Judge Irwin in 1832.

In 1830 congress made an appropriation for surveying and locating a military road from Green Bay to Chicago and to Prairie du Chien. The people of the district of Michigan, west of the lake, elected him to the legislative council in 1834, in which he served with marked ability for two years. Returning from the legislative council he became an active operator in the public land sales, which were opened at Green Bay in 1835-6.

Wisconsin, as an organized territory, had George W. Jones as its delegate in congress. Judge Doty succeeded Mr. Jones in 1838, and served till 1841, when he was appointed governor of Wisconsin by President Tyler, serving nearly three years. He was a member of the

first constitutional convention in 1846; was elected to congress from the third district under the state organization of 1848; was reëlected in 1851, and procured, by his industry and influence, important legislation for the state and his immediate constituency.

In 1853 he retired once more to private life, to be recalled by President Lincoln in 1861, first as superintendent of Indian affairs, and subsequently as governor of Utah, holding this last place at the time of his death, June 13, 1865. Governor Doty's last residence in Wisconsin was at Menasha, on Doty's Island,—one of the many villages that sprung up under his influence. He had two sons and one daughter. The people of Wisconsin are under lasting obligations to the memory of Governor Doty for having been instrumental in fixing the location of the capital at the beautiful city of Madison.

CHARLES DUNN, Belmont, was born December 28, 1799, at Bullett's Old Lick, Bullett county, Kentucky, which is about sixteen miles east from Louisville. He was the eldest of a family of five sons and four daughters, and at the age of nine years was sent to school at Louisville for about nine years, when he was called home and sent on a business tour to Virginia, Maryland and Washington. Upon his return home he read law a short time with Worden Pope, a distinguished lawyer of Louisville; and afterward he proceeded to Frankfort and continued his law reading for about two years with the eminent John Pope, then secretary of state, and who was the first law professor in the Transylvania University at Lexington.

He then went to Illinois and arrived at Kankakee, then the capital of the state, in May 1819, where he completed his studies under the direction of Nathaniel Pope, district judge of the United States for the district of Illinois. In 1820 he was admitted to the bar, Sidney Breese being admitted at the same time. He then commenced practice at Jonesboro, Union county, Illinois. In 1821 he married Miss Mary E. Shrader, daughter of Judge Ostro Shrader, who had been a United States judge in Missouri territory. He remained in practice at Jonesboro for several years, and then removed to Golconda, Pope county, Illinois.

For two years he was engrossing clerk for two sessions for the House of Representatives of the Illinois legislature, and for five years chief clerk of the House. In 1829 he was appointed, by Governor Ninian

Edwards, acting commissioner of the Illinois and Michigan canal, and with his associates on the commission, Edward Roberts and Dr. Jane, surveyed and platted the first town of Chicago.

The first town lots of this embryo metropolis were sold by the commissioners in behalf of the state in the latter part of 1829, and the sales continued in 1830 and 1831, during which years the survey of a canal and railway line was made and reported. In the early part of 1832 Indian troubles commenced, and a requisition was made upon the state authorities for troops to engage in service against the hostile Indians led by Black Hawk. Three brigades of volunteers responded to the call, and Mr. Dunn entered the service as captain of a company which he raised in Pope county, where he then resided.

His company was assigned to the second regiment, which was commanded by Colonel John Ewing, and attached to the first brigade, which was commanded by General Alexander Posey.

Soon after an engagement with the Indians, Captain Dunn became the victim of a blundering mistake on the part of a sentinel, in what is now the town of Dunn, in Dane county, by which he was severely, and at first it was thought mortally, wounded. On approaching the sentinel, by Captain Dunn, the sargeant of the guard and the relief sentinel, the sentinel on duty, instead of hailing them as he should have done, became alarmed and fired at the group at the distance of about ten paces, severely wounding Captain Dunn in his right groin. He was taken back to Fort Dixon, where he was confined by his wound until after the war was ended by the battle of Bad Axe.

As soon as he was sufficiently recovered he returned to his home, and in the spring of 1833 acted as assistant paymaster in paying off the first brigade, and during that year resumed the practice of his profession. In 1835 he was elected a member of the house of representatives of the state legislature from Polk county, and was chairman of the committee on the judiciary during the session. Upon the recommendation of the Illinois delegation in congress, and the delegate for the territory of Wisconsin, George W. Jones, he was appointed by President Jackson, in the spring of 1836, chief justice of Wisconsin. He arrived at Mineral Point July 4, 1836; was then and there sworn into office, which he held until the organization of the state judiciary. The last term of his court was held at Mineral Point in October 1848. He was a member of the second constitutional convention from La Fayette county, was

chairman of the committee on the judiciary of that body, and took a leading part in framing the constitution of the state, which was adopted by the people. Subsequently he was elected state senator for the district composed of the county of La Fayette, and served in that capacity during the sessions of that body in 1852 and 1853, and was chairman of the committee on the judiciary during both of those years. On the expiration of his term of office as chief justice he returned to the practice of the law in La Fayette and adjoining counties. Judge Dunn was regarded one of the most eminent among those who have been in the profession of the law in Wisconsin. While chief justice his judicial studies were especially onerous, as, during the greater time he was on the bench, his district, as circuit judge, was the most populous and important in the territory, and produced, it is believed, the greatest amount of litigation. His judicial and official duties were performed with rare ability, fidelity and integrity; and during his residence of thirty-five years in Wisconsin, always commanded, both in public and private life, the confidence and esteem of all classes of people. To near the time of his death in 1872, at the advanced age of seventy-two, he continued in vigorous practice of his profession at Belmont, and was at that time the oldest lawyer in the state.

DAVID IRVIN, Texas, was born in Albemarle county, Virginia, in 1794, and was of blended Scotch and Irish parentage. His father was a Presbyterian minister, and a teacher of the ancient languages of much local reputation. David Irvin was educated for a lawyer, and started in life in the Shenandoah valley, in Virginia, in which, in after life, he located many marvelous incidents and anecdotes that it was his delight to relate. As he did not meet with wondrous success as a lawyer in the valley, he applied to his old schoolmate, William C. Rives, who was at that time in high favor with President Jackson, to get him an office, and Mr. Rives suggested the propriety of giving him a judgeship. The term of office of Judge Doty as judge of the additional district for Michigan territory having expired in 1832, that position was tendered him and accepted. Upon the organization of the territory of Wisconsin he was appointed associate justice of the supreme court by President Jackson.

Being a bachelor his residence was not necessarily confined to any particular locality. He always preferred southern society, and as soon

as the term of his last office was ended he went to St. Louis, where he remained some length of time, and subsequently went to Texas, where, with the economical accumulations of the principal and interest of his salary as judge, he made large investments in wild cotton lands, which has made him a man of wealth. During the rebellion he espoused the cause of the South, and is still living in Texas.

WILLIAM C. FRAZER, Pennsylvania, was appointed associate justice of the supreme court of the territory of Wisconsin at its organization in 1836, and performed the duties of the office until his death, which occurred in Milwaukee, October 18, 1838, when he was sixty-two years of age. His career in Wisconsin was so brief and unimportant that little is now remembered of it, and that merely traditional. The only written opinion given by him in the discharge of his judicial duties of which there is any trace is found in the report of the case of an Indian who was indicted, and tried and convicted before him at Green Bay, for the murder of Pierre Parquette, the interpreter of the Winnebago Indians. At the time of his appointment he was considerably advanced in years, and his intemperate habits rendered him unfit for the position, yet it has been said that he had been a lawyer of average learning and ability.

Judge Catlin says of him: "Judge Frazer was a very able judge when not under the influence of liquor, and was remarkable for his ability, memory and knowledge of law. The judge came on from Pennsylvania to hold the term of the supreme court in 1838, but the other judges did not attend. Judge Frazer insisted upon opening the court and holding the term as the law required. I informed him that there was no business, and no lawyers in attendance. He said that made no difference; it was necessary to adopt rules, and accordingly the court was opened. The judge dictated and I wrote the rules, but they were not adopted by the other judges. The climate of Madison, however, at that day, did not suit the judge, as 'the critter' or 'O be joyful' was not there, except some Chinese cordial in the store of James Morrison, which Mr. Bird had charge of in the absence of Morrison. This cordial was put up in a very handsome and expensive set of Chinamen representing mandarins, and by the liberality of Mr. Bird the whole set of a dozen bottles was emptied by the judge while holding the term. When the cordial had all leaked out the judge took his departure, and never held another term in Madison."

As the law required the presence of two judges to constitute a de facto court it is to be inferred that Judge Frazer did not presume to inaugurate any legal business as a supreme court.

ANDREW G. MILLER, Milwaukee. At the early settlement of this country the ancestors of Andrew G. Miller came to America and settled in Pennsylvania. They were Presbyterians from the north of Ireland, and of that people commonly termed Scotch-Irish descent. His mother was a Galbraith, from England, and both families occupied land purchased of William Penn during the early years of his historical colony. Members of both his father's and mother's families participated in the perils and triumphs of the revolutionary war, held commissions and performed honorable service in the continental army, as also did his father in the Pennsylvania militia in the Niagara campaign of 1814.

Andrew Galbraith Miller was born near the present city of Carlisle, Pennsylvania, September 18, 1801. Commencing his education in the academy in his native town, he prepared for college at the same institution, and was admitted to Dickinson College at Carlisle in 1815, being subsequently transferred to Washington College, Washington, Pennsylvania, where he was graduated in 1819. Choosing the profession of law for a vocation, in October of the same year he became a student in the office of Andrew Caruthus, at Carlisle, and was admitted to the Cumberland county bar in 1822. His practice was begun in the same county, and continued with success for sixteen years, within which period he held the office of Attorney General, resigning the same at the end of three years' service.

Upon entering his life work, he wisely resolved to accept no office not connected with his profession, and this determination was adhered to throughout his long life, which unquestionably added much to the success of his long and distinguished career.

Andrew G. Miller was the eldest son of ten children, and his father dying soon after the son came to the bar, he became the responsible head of the large family made somewhat dependent by the depreciation of property after the war of 1812. These filial duties were cheerfully assumed and faithfully borne, exhibiting at that early period of his life the noble and self-abnegating qualities that distinguished him through his subsequent years. On February 7, 1827, he married Caroline E. Kurtz, daughter of Benjamin Kurtz, one of the founders of the Lutheran

church in America. Mrs. Miller still survives to enjoy the respect and esteem of a large circle of friends and acquaintances.

After his marriage Judge Miller pursued his profession in Pennsylvania till 1838, at which time he was appointed, by President Van Buren, judge of the territory of Wisconsin, and the field of his labors was transferred to the then wilds of the west. Having accepted the commission November 8, 1838, Judge Miller, with that promptness which always distinguished him, immediately proceeded to the scene of his future duties. Arriving at Milwaukee, after a month's journey, he took the oath of office December 10, 1838. His family followed him to Milwaukee the next spring, where they have continued to reside.

At that time the eastern territorial judicial district comprised the line of territory bordering on Lake Michigan and extending from Green Bay, including Milwaukee, to the southern territorial borders. This was the most rapidly growing portion of the territory in settlements and in commerce. To this important district Judge Miller was assigned. Owing to the prostration of all kinds of business, following the panic of 1836, litigation was greatly multiplied, and when the judge opened his court in the spring of 1839 he found twelve hundred cases awaiting trial. The judiciary of the territory consisted of a chief justice and two associate judges; the three sitting together annually formed the supreme court. By this arrangement Judge Miller's labors were greatly augmented. At the same time the eastern section of the state increased to such an extent that new counties swelled the number to nine, in each of which Judge Miller was compelled to hold two terms a year, increasing to three in Milwaukee county; the terms occupying six weeks each. His vacations never exceeded three weeks of any year.

It will thus be seen that the office of district judge was no sinecure in those days, but demanded devotion to its duties, and a hardy constitution such as Judge Miller possessed in an eminent degree. Some estimate of the magnitude of these labors can be formed from the fact that during his nine years' term of service as territorial judge he adjudged seven thousand and five hundred court cases, and ordered three hundred discharges in bankruptcy. His labors in accomplishing this vast amount of judicial work were greatly enhanced by the crude language and uncertain meaning of the statute law, and he was indefatigable in endeavor to unravel the mysteries of these unintelligible enactments.

When Wisconsin was admitted as a state in 1848 it was made to comprise one United States judicial district, and Judge Miller was appointed by President Polk, July 12, 1848, to that bench. In view of the eminent services he had rendered in his previous judicial capacity, this appointment was a natural sequence, and gave satisfaction to the Wisconsin bar. The court was organized on the first Monday of July, 1848, and Judge Miller entered upon his new duties that continued to near the end of his life.

This single district for the whole state continued until 1870, when it was divided into an eastern and a western district. Judge Miller was assigned to the eastern district, with court at Milwaukee.

In the long judicial service of Judge Miller it is a notable feature that, in appeals from his decisions to the supreme court of the United States, his judgments were almost universally sustained. No higher compliment could be paid to impartial application of sound legal knowledge and intellectual ability. "In equity and admiralty jurisprudence, the accuracy and abundance of Judge Miller's learning have long distinguished him. In admiralty law he was foremost in western authority, and his decisions and judgments in admiralty cases are received with respect by the most eminent jurists of the day."

On the 11th of November, 1873, Judge Miller made the following announcement:

"Two years ago, then of the age when federal judges are allowed to resign on a continuance of their salaries, I was inclined to accept the terms of the law; but being blessed with good health, and not having the plea of infirmity, in response to the expressed wishes of numerous highly respectable and influential gentlemen of all parties and professions, to retain my place, and not believing it to be proper to retire immediately upon arriving at the specified age, I concluded to continue in office until the expiration of thirty-five years from the date of my first commission.

"The time set for my resigning has arrived, and I make the announcement to the President of the Bar Association that this day I resign the office of district judge of the United States for the district of Wisconsin, to take effect on the first day of January next. An earlier day for my retiring would be agreeable to me, and should have been set, but for an amount of business pending, or submitted and not disposed of, which requires my attention in the meantime.

"I am the oldest federal judge in commission, and the sole surviving judge who administered the bankrupt act of 1841. As judge of the territorial supreme court, I attended its annual terms at Madison, and held the district courts in the third district of the territory, which before the admission of the state into the Union was composed of nine counties, and also the terms of the district court as judge of the United States, without missing a term from sickness or any other cause.

"Although the infirmities of age cannot be pleaded as an excuse for my resigning, yet, after passing fifty-four years of my life in the law, as a student in a law office, as a member of the bar, and as a judge thirty-five years of the time in public service, I hope that the members of the bar and my fellow citizens generally may approve of my retiring from official duty in the evening of my days.

"I love the legal profession, and esteem the worthy practitioner as holding the most honorable position in this country. And I shall retire with thankfulness to the bar for the aid they rendered me by their briefs and arguments in my judicial investigations, and with my best wishes for their prosperity and happiness."

After the retirement of Judge Miller, at the age of about seventy-two years, he continued in his usual good health; and when, September 30, 1874, while at his usual domestic avocations, at his home in Milwaukee, he suddenly departed this life, the announcement was a shock to the entire community. A great and good man had gone the way of all mankind, but it was felt to be the end of a life full of years, usefulness and honor.

Judge Miller came into what is now the State of Wisconsin when the practice and administration of law was in a crude and chaotic condition. Law books were few, and what the lawyers of that day lacked in legal lore was made up by shrewdness, tact and vehemence. Judge Miller changed all this. His native dignity, legal learning and decorous bearing taught the uncouth practitioner that trickery, rant and irrelevancy were out of place in his court and positive injury to a cause. It was a saying of the old members of the Milwaukee bar, that Judge Miller first gave dignity and character to the bench of eastern Wisconsin. He had great respect for the sanctity of the jury system, and aimed to secure the purity of the jury box. He brought to the performance of his arduous judicial duties a hardy constitution and a stalwart physique that stood him in good stead in the new and rough country in which lay his work.

The field he occupied extended over a large territory, and, to reach the places in which he held his courts at that early day, he was compelled to ride for days on horseback, often through a wilderness inhabited by Indians, with here and there a solitary settler. He would thus make regular journeys from Milwaukee to Green Bay, encountering hardships that would test severely the perseverance and physical endurance of any man. In this connection Mr. J. W. Cary says: "His duties were before him, he had engaged to perform them, and he never faltered nor turned back. In all these years, against these difficulties and hardships, this faithful public officer never, in a single instance, on account of illness or for other cause, failed to be present at a term of court appointed by law at the designated hour, and never failed to hold a term open until the business that was ready was disposed of; and all agree who have practiced at his court, that in the history of our country no man ever discharged a high judicial trust more faithfully, or more richly earned the right to retire in the evening of his days to the quiet of private life."

Judge Drummond said on the occasion of his death: "Endowed with a retentive memory, having great experience in the various branches of the law, and always a diligent student, his knowledge of the profession and particularly of federal laws and adjudications, including admiralty law, was uncommon. He was a man of decisive opinions and strong feelings, but it can be said with truth, that in all cases that we have heard together, his main desire seemed to be to decide according to the justice and right of the cause and in conformity with law."

Presiding in the court, Judge Miller was notable for the dignity of his bearing. His ideas of the authority and importance of a high court of law were of the most elevated character. He gave tone to the ermine in the new rough country into which he had come to administer the sacred requirements of the law. This may have been irksome to the practitioner of that day who had been accustomed to more freedom of the bench. The dignified and urbane presence of Judge Miller never failed to preserve the utmost decorum in his courts. His rules of practice were simple but were rigidly enforced, and at the same time no judge was ever more courteous to the practitioners before his courts, and to young lawyers his demeanor was unfailingly kind and considerate. It can but be conceded that Judge Miller possessed one of the first requisites of a judge in his eminent decision of character. With due

deference to the ability and legal learning of counsel, he was inflexible in taking the responsibility of his decisions in accordance with his convictions and inflexibly adhering to them. His judgments were never impulsive nor immature; they were invariably given after full consideration and examination. His application was unremitted in the study of the law bearing upon the causes before him. When not in court he was in his law library. Law was the idol of his life, and to a judge who loved it so well it could not otherwise be than that he sought for truth and justice for truth and justice's sake. It would seem that in the consideration of his cases he fully isolated himself from extraneous circumstances and surroundings. It was evident that no personal influence nor prejudice had any weight in his judicial decisions. Hence practitioners learned in the law, and opinionated withal, naturally would feel aggrieved that adverse opinions held by them did not measurably sway the course of the bench. All judges may err, but Judge Miller was fully capable of assuming the responsibility which rightly belonged to him, and no one hesitated to accord to him the strictest integrity in his judicial as well as his social life. He was the soul of honor. The late Chief Justice Ryan said on the occasion of his death: "From whatever point of view we look back upon Judge Miller's professional career in Wisconsin, it must be conceded that for the greatness of his office, for the remarkable length of his official life, for the public importance of his administration, for the vast aggregate of his judicial labors, few judges have higher claims to eminence. Think what men may of his administration, there was something grand in the lonely self-reliance and steadfastness of the man which none could fail to admire. Regardless of all outcry he held his way, and so he appeared to others arbitrary when he was only true to his own sense of the duty and dignity of his office. And I am happy to be a witness to my own belief, founded, I think, on thorough knowledge of the man and his administration, that Judge Miller left the bench without a sense of willful wrong done upon it."

Judge Miller was notable in strength of character, persistent and immovable in what he believed to be the right; nothing was suffered to ruffle his passive and equitable temperament. Sentiment did not enter into his law decisions; he did not find it in the books. His mission was to execute the statutes; his hand was not in their making. "He upheld and enforced the law," and no higher praise can be accorded to any judge who has occupied the bench. In times of excitement he adhered

to the law without regard to results. He made decisions which were contrary to a strong anti-slavery sentiment of the times, but in all of these he was sustained by the supreme court of the United States. His decisions are the law of the State of Wisconsin to-day, and he has done much toward settling the policy of the state.

Judge Miller was a lifelong member of the Episcopal church, and was ever constant and devoted. He lived the life of a christian; upright, pure and honorable in his daily walk. Blessed with an interesting and devoted family, his delight was in his well ordered home. With feelings ever deep and true, the austerity of the bench relaxed in the social enjoyment of family and friends. To those who had the privilege of knowing him in his private life, he was a model of excellence in all his family relations. Eminent as he was as a jurist, his memory is more cherished by his numerous descendants for his domestic goodness and virtues. No citizen commanded more respect in the community where he was so long and so well known. He has left behind him a kindred whose lives bear the impress which his character and life made upon them.

In business matters Judge Miller was the exact, prompt and conscientious man, doing unto others as he would have others do unto him.

In reviewing the career of Judge Miller, it would seem that his placid and conservative character was eminently fitted to mould into better harmony the new and crude elements with which his judicial life was intermingled, and to potently aid in shaping the character and elevating the tone of the higher class of society in which he moved. His life had been long, useful and impressive, and he was called to leave it before time had at all dimmed the lustre of his intellect or impaired the vigor of his constitution.

CHIEF JUSTICES STATE SUPREME COURT.

ALEXANDER WOLCOTT STOW was born in Middletown, Connecticut, in 1804. But little can be learned of his early life excepting that he was a college graduate, after which he traveled extensively in Europe; that he studied law, and after his admission to the bar practiced the profession at Rochester, New York. In 1845 he came to Wisconsin, and settled at Fond du Lac, near which city he purchased a farm, but did not become a farmer. His time was divided between Fond du Lac and Milwaukee, at which latter city he had a law office, but not much business. He was soon, however, brought into official life. He became

known as a man of learning, culture, and profound in the law, especially in decisions. Consequently, on the establishment of the first courts under the state organization, he was elected judge of the fourth circuit, in virtue of which he was also a member of the supreme court, and as such was chosen chief justice by his associates. As the terms of the respective judges were determined by lot, the full term being six years, the shortest term fell to Judge Stow, and his term ended January 1, 1851. Retiring to private life he continued to reside nominally on his farm, was never married, and died in Milwaukee September 14, 1854.

MORTIMER M. JACKSON was born in Rensselaerville, Albany county, New York; studied law in the city of New York; came to Wisconsin in 1838; was appointed attorney-general of the territory in 1841. and held the office until 1845. On the organization of the state government in 1848 he was elected judge of the fifth judicial circuit, by virtue of which he was also a member of the supreme court. On the expiration of the term of Judge Stow as chief justice, Judge Jackson was chosen by his colleagues chief justice, but declined to serve, and his term as judge expired in 1852. In 1861 he was appointed United States consul at Halifax, Nova Scotia, and in 1880 was promoted to consul-general of the United States for the British maritime provinces, in which capacity he is now acting, with his residence at Halifax.

EDWARD V. WHITON, Janesville. Edward Vernon Whiton was the son of General Joseph Whiton, of Massachusetts, a soldier of the revolution and of the war of 1812, and was born at South Lee, Berkshire county, Massachusetts, on the 2d of June 1805. During the first thirty years of his life he continued to reside in his native town, whence he at length removed to the then territory of Wisconsin, to take part in the great and glorious battle of life in that new field of development—the great West. He settled there when the present site of Janesville and its neighborhood was almost a wilderness, and lived for some time the life of a pioneer in a cabin on the broad prairie. He was elected a member of the house of representatives for the first session of the legislative assembly at Madison. At the next subsequent session he was elected speaker of the house. During those sessions he was a frequent participant in debate, and took an active part in enacting the first territorial code. Up to that time the laws of Wisconsin consisted of the territorial statutes of Michigan and the laws of the Wisconsin

legislature, passed at the sessions at Belmont and Burlington. The revised statutes, which became of force on the 4th of July, 1839, were published under his supervision. In 1847 he was a member of the constitutional convention which framed the constitution of the state. On the organization of the state government in 1849 he was elected a circuit judge, and, under the then system, became a judge of the supreme court. He occupied this position until 1853, when the "separate supreme court" was established, when he was elected chief justice, and reëlected in 1857, and continued to hold the office until he was compelled to leave it by the disease of which he died.

Chief Justice Whiton was thoroughly identified with almost every prominent event in the history of Wisconsin, both as a territory and as a state. Throughout the whole period of his residence in Wisconsin his life was a public life, and he filled political and judicial stations successively with such ability and integrity that the people exalted him from place to place, until he had received the highest honors in their gift; and the positions with which he was honored were ennobled by the lustre of his conduct and character. Amid all the conflicts of party—both in the means by which he attained and the manner in which he discharged the duties of office—the purity of his character was ever unsullied by the slightest breath of reproach or even suspicion.

In the early part of the year 1859 his health began to fail, and it became manifest to his associates upon the bench that his system was suffering from some malady which it was hoped would be but temporary in its effects, and would yield to the invigorating influences of relaxation and home exercises, where the cares and anxieties of official responsibility would not intrude. Accordingly his associates upon the bench, after much persuasion, induced him to retire, as all hoped, for a short season only, in order to recruit his energies for the approaching term, as well as to complete the unfinished former business still remaining. He left the bench, as was supposed, in the confident expectation of returning to it again after a short respite at home. Insidious disease, however, had obtained too strong and deep a hold in his system, and about noon on the 12th of April, 1859, he died at his residence in Janesville, in the house of his own construction, loved and mourned as to few men it has been vouchsafed to be loved and mourned.

Among those officially and professionally connected with him, as well as in his private circle, his death called forth the deepest

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expressions of sincere regret and sorrow. At the meetings of the bar of the supreme court, and of the Milwaukee bar, as well as those held at the county seats of the several counties of the state, resolutions were adopted indicative of the great general loss felt by the people, as well as the exalted estimation in which the deceased judge was most deservedly held by bench and bar. The president of the Milwaukee bar, in the course of a touching tribute to his virtues and ability, said of him: "Were I to name any one sphere of action in his life in which he was most eminently distinguished, and for which he had a peculiar adaptation, I should say that it was as a legislator. His varied information, strict integrity, eminent conservatism, and finely balanced mind, all combined to make him a ready debater and a high-minded and patriotic legislator. But it is useless to name any one sphere, when all the positions he ever occupied were filled so ably and perfectly." And another of his intimate associates said: "On this melancholy occasion I can hardly trust myself to speak. For years Judge Whiton has been to me as it were an elder brother. Our relations have been so harmonious, so uniformly genial, so entirely fraternal, that we have scarcely thought of official relation. During our long association, in deliberation upon matters of the gravest concernment, while discussion has been most free and unrestrained, never an unkind word, nay, not even a petulant expression, has been uttered. All through his official career he preserved a strictness of propriety which can scarcely be equaled, a conscientiousness which never wavered, a depth of thought and comprehensiveness of the subject-matter ever present; commanding without force, controlling without intrusion; clear and unassuming in his high office; great when he least thought of greatness, but great only wherein man can be truly great—because he was wise and good."

LUTHER S. DIXON, Milwaukee, was a native of Chittenden county, Vermont, born June 17, 1825, was educated at an academy and Norwich Military University, read law with the distinguished Judge L. P. Poland, and was admitted to the bar in 1850. Coming west the same year he located at Portage City, commenced practice, and was district attorney from 1852 to 1856. While serving in this capacity he was prosecuting attorney in the famous murder trial of John B. Du Bay, which was removed to Dane county on change of venue in 1856. Pitted against him were Moses M. Strong and Harlon S. Orton, two as able

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lawyers as there were in the state, and the marked ability with which he conducted the prosecution, singly and alone, brought him, for the first time, into prominence, and he was yet young. In 1858 Governor Randall appointed him judge of the ninth circuit, and during the year he served held two terms of court in each county. On the death of Chief Justice Whiton, in 1859, he was appointed by Governor Randall to fill the vacancy, taking his seat April 19, 1859. He was four times re-elected, and on June 17, 1874, resigned and moved to Milwaukee, where he resumed the practice of law. In this city he was immediately engaged in important cases, among which was counsel for the United States in the notable whisky trials of 1875; for the state in the memorable granger cases of 1874, 1875 and 1876, testing the control of the state over railroad corporations chartered by the legislature, and was retained for the Atchison, Santa Fé & Topeka Railroad Company in its famous litigation with the Denver & Rio Grande Railway Company for possession of the grand cañon of the Arkansas in Colorado. The latter case took him to Colorado for three months in 1879. This has led to a decision to make Denver his future home, for the reason that the climate of the shore of Lake Michigan brought on bronchial and asthmatic troubles of which the atmosphere of Colorado proved curative. He leaves behind a splendid practice, but the promise of satisfactory business awaits him in his new field of labor. Through his decisions as chief justice, as well as otherwise, he is quite as well known in Colorado among the legal profession as a jurist as he is in Wisconsin. The Wisconsin Reports are standard the country over.

Devoting himself entirely to the law the judge has never allowed himself to be drawn into partisan politics. It is well known that during the memorable contest for the United States senatorship, during the legislative session of the winter of 1875, and a third man was demanded, judge Dixon could have had the election by simply saying yes. The writer of this sketch said to him casually, "Why not be senator, Judge?" "I cannot afford it," was quickly replied. The writer was also present in a republican state convention when the name of Judge Dixon was proposed for renomination. His competitor was powerful. Ex-Governor Salomon championed his cause, and in his speech, of remarkable power, presenting the name of the judge, he made a turning point by saying that the unselfish motive of his decisions had been notably illustrated in the fact that he decided against the claims of the

thousands of farmers in the celebrated and long contested farm mortgages cases, when, if he sought popularity in view of the approaching election of a chief justice, he had an excellent opportunity to reach the good-will of a large body of voters, but, on the contrary, chose to risk his reelection on right and justice; and this won.

Before leaving the city for Colorado the bar of Milwaukee tendered Judge Dixon a parting banquet. This he respectfully declined, preferring a letter of acknowledgment of the compliment. The truth is, one of the most conspicuous traits of the judge's character is his unconquerable distaste of notoriety in any form.

So recently leaving a state where he has, for so long a period, been at the head of the bench and bar, it may not be an impropriety to say that the estimation in which he is held by all who personally know him is that in person, intellect, moral character and professional worth, the subject of this record is, in every phase of life, a man, than which there can be no higher eulogy.

EDWARD G. RYAN, Madison, thus wrote of his early life in response to request of the author of this book:

"I was born at Newcastle House, my father's residence, near the village of Enfield, in the county of Meath, November 13, 1810. My father, Edward Ryan, was a younger son of the family of Ryan, of Balinakill. He had married Abby, eldest daughter of John Keogh, of Mt. Jerome, the chairman of the famous Catholic committee. At the time of my birth my father was a prosperous man, the owner of lands purchased in part with the fortune which he received with my mother. Between the peace of 1815 and the passage of the corn laws he was ruined, as were almost all others who owed money upon land. He then removed to Blackhall, in the county of Kildare, which he rented, and where he lived till near his death.

"My mother's father was a very wealthy man, who died while I was a youngster. He left an annuity to my mother for the purpose of educating her children. There were ten of us, and we all received an excellent education. I received mine at Clongowes Wood College, where I remained for seven years, from 1820 to 1827.

I was always destined for the law, in the study of which I was nominally engaged in 1828 and 1829. But I was an expensive and improvident youth, and a great burden to my father.

I had exaggerated notions of the ease with which men got on in this country, and I finally obtained my father's consent to come here. So I came in 1830. I did not know then, but have long since known, that my father expected me to fail and to return to Ireland. I was too proud to do so. I studied law in New York as I could, supporting myself by teaching. I was admitted in 1836, and came that year to Chicago. Up to that time I had never known what sickness was. But I was peculiarly subject to miasmatic disease, and was in very poor health during the whole time I was in Chicago. In 1842 I was married to Mary, eldest daughter of Captain Hugh Graham, and immediately removed to Racine. I lost my first wife in 1847, and as soon as I rallied from the blow prepared to move to Milwaukee, and moved there in December 1848. When I first went to Racine it seemed doubtful which would be the larger place. That doubt was settled long before I moved. In 1850 I was married to Caroline Willard, daughter of ——— Pierce, of Newburyport, Massachusetts."

In Milwaukee Judge Ryan was successively associated in the practice of law with Mathew H. Carpenter, James G. Jenkins, Joshua Stark and J. J. Orton, as also, at one time, a quasi connection with the firm of Smith & Salomon. In that city he was in contact with some of the greatest lawyers and advocates that have practiced in Wisconsin, A. D. Smith, N. K. Wells, Jonathan E. Arnold, now gone, having been among the brilliant number.

Judge Ryan was brought into prominence on his connection with the noted Radcliff, Anna Wheeler and some other celebrated murder trials, and the Glover rescue slave case. But what first gave him a national reputation and placed him at the head of the profession in this state was his masterly arguments in the celebrated Hubbell impeachment trial before the state senate in 1854. Alone he conducted the trial on behalf of the managers appointed by the assembly, and opposed to him were the eloquent Jonathan E. Arnold and the learned James B. Knowlton. The senators were some of the most eminent men in the state sitting as a court. Although the accused was acquitted it was conceded to be no fault of Judge Ryan representing the prosecution. The case was mixed up with politics, and Judge Hubbell belonged to the dominant party in the state, and its representatives in the senate predominated in that body. He acquired not only reputation but likewise personal honor as one of the leading counsel in the Barstow-Bash-

ford case before the supreme court, at which time, although a political sympathizer with the Barstow side of the issue, he took strong grounds against the counting of illegal election returns that would alone make Barstow governor.

It was not only as a lawyer and jurist, but as an editor, a statesman and a politician, that Judge Ryan was conspicuous. He was one of the early journalists of Chicago. He was the editor of the Tribune, which was published in Chicago in 1839, and was probably the first newspaper of the name in the country, antedating Horace Greeley's prolific progenitor by several years. The selection of the name shows the classic tone of its editor. It was started in 1839, and closed its career in 1841, having a brief existence, like many of the early as well as the later journals of Chicago. It was published by Holcomb & Company. Holcomb was the printer, and E. G. Ryan the Company and the editor. It was not a small sheet for the time, but a seven-column paper, as large as any in the city, and as large as could be conveniently handled and pulled on a hand-press. It was printed eight years before any power-presses were used in Chicago. It was decidedly the handsomest-printed sheet then in the city,—Holcomb & Company assuming to raise the standard of printing, then in its primitive stages.

The first newspaper of Chicago was the Chicago Democrat, started by John Calhoun in 1833; the second was the Chicago American, started by T. O. Davis in 1835; the third, the Commercial Advertiser, in 1837, by Hooper Warren; and the fourth, the Tribune, in 1839, edited by E. G. Ryan, the late jurist. The professional editors in Chicago previous were John Calhoun, John Wentworth (his successor), Thomas O. Davis, Hooper Warren, William Stuart; then follows E. G. Ryan. There were some unprofessional editors who used to lend them a hand at the quill in those days on the political journals, as Dr. Brainard, J. F. Ballister and others.

The Tribune was started as a democratic paper. It was really a competitor of Long John's Democrat. The Democrat was an intense partisan paper, moulded after the school of Isaac Hill. It was conducted upon the level of the people who were to make up the mass of the votes of the democratic party. The Tribune had no respect for so low a level of humanity. It was designed to reach the intellectual and cultivated class. Mr. Ryan wrote long and able editorials, and not always on the popular topic of the hour. The editor gave subjects

to his readers to think about which were really worthy of their thoughts, and the articles were not only profitable reading for the day but would be equally profitable for any other day in the coming years. It is a pity there are not enough seekers for such style of editorial writing. These productions in literary merit were worthy to be placed by the side of the essays and allegories in Addison's Spectator. The Chicago Democrat, with its laudations of Andrew Jackson, and its sharp criticisms on the policy of the whigs, and its intense personalities, had readers in all the log-cabins in the West. The Tribune found a few appreciative readers among the cultivated class, but aroused little enthusiasm and brought in but limited patronage, and its life was therefore short.

These were the printers on the Tribune in 1840: Abial Smith, the pressman, now at Lockport; E. F. Ellithorp, James Kelly and Robert Fergus, all now of this city; William Ellis, Carver Butterfield, and others who have since died. The office had been bought of Rudd & Childs, and was a good establishment for the times, and fitted up as a book and job office. In this office was printed the first volumes of Scammon's Illinois Reports, the first book printed in Chicago. K. K. Jones, now living near Quincy, was a devil in the office, and he said he was a devil of a devil. S. W. Wilcox, of the West Park board, was another devil in the office. K. K. Jones has given some pleasant reminiscences of his devilship in this office. Carver Butterfield, who was a kind-hearted man, and a good writer and greater reader, befriended the boy who rolled behind the press, and won his everlasting gratitude. Carver Butterfield was an appreciator of Ryan as an editor and writer. Kile, who was the paper-carrier, as well as the roller-boy, wanted a New Year's address, and he appealed to Butterfield to help him out. Butterfield said to him, "Go to Mr. Ryan; he is a sensible man, and the best writer in Chicago, and if he will write you an address it will be one worth having." And Ryan came now most cheerfully in his dignity, and wrote the boy an address.

Ryan came seldom into the office except when he had something to say about copy or proof. He was very irascible, and the printers would sometimes catch it. He had no compromise with jocoseness or foolishness. His dignity led him rather to contest his points with the foreman or his partner, Holcomb. Holcomb's habits were not good, and it was said that it was a quarrel with him that led to the breaking up of the establishment.

As a statesman, we find him representing Racine in the first convention to frame a constitution for the embryo state. Judge Ryan took a prominent part in the deliberations and debates, and his ideas were stamped upon some of the important provisions of that instrument. It was, however, rejected by a vote of the people. This was the only political position he ever held, and it was not supposed that he had aspirations for office that would be purely political.

In political belief he was always a democrat of the straightest kind. During the war of the rebellion he sided with the Union cause, while condemning some of the radical war measures of the administration, particularly in the suspension of the writ of habeas corpus, and he acquired no small amount of notoriety as the writer of the celebrated address, which was adopted at a democratic state convention in 1862, and which severely condemned the course pursued by the United States authorities in its prosecution of the war. This document has a place in the political history of the state as the Ryan address.

The great ambition of Judge Ryan was a seat upon the bench of the supreme court as chief justice. At length the fruition of these hopes was realized. In 1874 Chief Justice L. S. Dixon resigned, and the democratic governor, W. R. Taylor, appointed Judge Ryan to the position. Of acknowledged eminent fitness for this high office, the selection was in accord with the sentiments of the people irrespective of party, and especially gratifying to the entire bench and bar of the state.

Having served out the unexpired term of Judge Dixon he was elected to the place for the full term in 1875.

Removing his residence from Milwaukee to Madison while serving on the supreme bench, he died in the latter city, October 19, 1880, and was buried in the Forest Home Cemetery at Milwaukee.

Two of his sons have adopted the profession of their father. Hugh Ryan is in law practice in Milwaukee, and the youngest son, Lester Ryan, is preparing for the bar in Milwaukee. Mrs. Ryan lives in Boston, Massachusetts.

The bar association of Milwaukee has honored the memory of Judge Ryan by placing a portrait of him, done in oil, in the supreme court-room at Madison, and James G. Jenkins, of Milwaukee, has had prepared a fine crayon likeness of the chief justice, which, as a personal tribute to the memory of the eminent jurist, he has caused to be hung up in the circuit-court room in Milwaukee, which was done with proper

ceremonies in the presence of the circuit judge and a large concourse of the city bar.

Reminiscences: A Mr. T. G. Turner gives an account of Mr. Ryan during his residence, in his youth, in New York city, the only reminiscence regarding him extending so far into the past that has been made public. He says: "In 1834 I was a boy merely, and a clerk in an importing house. I boarded at Mrs. Ballard's, on Pearl street, a quite celebrated house of entertainment at that day. The late Chief Justice Ryan, of Wisconsin, some seven years my senior, boarded at the same house. I remember him as a genial, witty, able young man, addicted to 'Irish bulls,' easily imposed upon by his joke-cracking associates, but by all respected and held in high esteem. Boarding at the same house at the time mentioned was Mr. Preston, author of a book of interest tables, quite celebrated at that day; and also Gould Brown, author of the best grammar of the English language with which I am acquainted. Mr. Brown was a Quaker, a scholar, and a gentleman; and his grammar will be held as authority when the names of a hundred pretenders have vanished from the list. I remember divers skirmishes between Mr. Brown and Mr. Ryan, the conclusion of all of which seemed to be that the grammarian conceded to the late chief justice the honor of using the Irish idiom correctly, but claimed that his knowledge of the English tongue was imperfect, if not ridiculous. Both contestants are now at rest. One died a great grammarian, the other a great jurist.

In 1842 he removed from Chicago to Racine, where he continued the practice of his profession with such a moderate degree of success as was practicable where there were several lawyers and but few lawsuits, and in 1846 he was elected a member of the first constitutional convention, and entered upon public life in this state. His most conspicuous colleagues from Racine county were Marshall M. Strong and Frederick Lovell, while among the delegates from other counties were Henry S. Baird, John Y. Smith, George B. Smith, Wm. M. Dennis, Stoddard Judd, Hiram Barber, Warren Chase, J. Allen Barber, James R. Vineyard, William R. Smith, Moses M. Strong, Ninian E. Whitesides, Theodore Prentiss, George Hyer, Samuel W. Beall, Don A. J. Upham, John Crawford, John H. Tweedy, A. Hyatt Smith, David Noggle, Andrew E. Elmore, George Reed, A. W. Randall and James Duane Doty, with many others, forming the ablest body of men by far that ever met in the state.

He was much younger in appearance than his real age, which was thirty-six, and he was poorly clad, his pantaloons especially being of uncouth brevity; he was awkward in manner, and a stranger to nearly all the able and brilliant men with whom he came in contact. But among and above them all, he at once took rank, by his forensic ability, his acuteness in argument and repartee, the amplitude of his learning and his profound knowledge of the principles of law and government, while in energy, industry and eloquence he was without a rival. He advocated all the radical provisions of that constitution, both in the convention and on the stump, and, notwithstanding, it was defeated by the vote of the people, and brought some unpopularity to its framers. Mr. Ryan was universally recognized as among the very leading men of the state.

His prominence was such that in 1848 he was chosen a delegate from Wisconsin to the national democratic convention, which met in Baltimore in May of that year. He was an applicant to the Polk administration for an appointment as governor of one of the new territories, naming Oregon as the place of his choice. Being unsuccessful in securing any office, he afterward in the same year removed to Milwaukee, and became a member of its very able bar. Among the practicing attorneys of the city at that time were Jonathan E. Arnold, H. N. Wells, John H. Tweedy, A. D. Smith, Hans Crocker, Francis Randall, Levi Hubbell, Emmons & Van Dyke, W. W. Graham, Jason Downer, H. S. Orton, James B. Cross, A. R. R. Butler, and others, many still living and some deceased, who would have been ornaments to their profession in any city of the Union.

Mr. Ryan first came to Milwaukee in the winter of 1847-8. He rode from Racine on horseback, on one of the coldest days in that season, in search of money and employment. He was hired by Asahel Finch, of the firm of Finch & Lynde to work in their office during the absence of Mr. Lynde, then a member of congress. He remained in the employ of Finch & Lynde about a year. His office associates at that time, besides Mr. Finch, were Gabe Bouck, John C. Starkweather and E. P. Smith.

Mr. Ryan was a man of profound religious emotions. He always attended church. Mr. Asahel Finch learned at Chicago from some of his intimates, that he was designed for the Catholic priesthood by his parents, when they planned his education. He worshiped at the Episcopal churches while living in Milwaukee. He was for some years a

communicant of St. John's Church. In later years he attended Christ Church, on Fourth street. He always kneeled as he entered church, and assumed all the pious forms of worship. At times, he read the service at Christ Church, in the absence of the rector. When the Rev. E. R. Ward took charge of Christ Church, he was an attendant there, but he took offense at some event which occurred, and that ended his connection with Christ Church.

He frequently conversed on religious subjects. He expressed great admiration of the apostle Peter, as a man of more energy and higher character, and greater brain than the balance of the apostolic fraternity. He once took a part in one of the excited discussions in which parson Richmond was conspicuous, and was on the side of that pugnacious clergyman. "I never so much esteem my Divine Master," he said in debate, "I never feel such a nearness to the Nazarene, as when I read that in his exalted and righteous anger he scourged the money-changers with cords and drove them from the temple."

He was once arguing a case in the old supreme court room, at Madison, a trivial case, with only the judges, a half dozen lawyers, the state librarian and a few loungers about, "audience fit though few." Some allusion in the discussion led him to refer to the Lord's prayer, and he at once launched into a most beautiful, eloquent and affecting eulogy of that form of devotion, the divine sweetness of which he described, and in radiant terms extolling the loveliness of its Author. Above all, he eulogized that portion of the prayer which asks "lead us not into temptation," which he paraphrased in all the pathetic forms of which language was capable, and which he said was commended to us as a form of petition by one who knew the frailties of our nature, the attractions of guilty delight and the strength of the impulses that lead to wrong. The few hearers listened spell bound to his matchless eloquence till the episode closed, when he resumed the argument of some stupid points in the dry case before him.

John W. Cary thus rightly portrays the traits of character of Judge Ryan: It is becoming that court, bar and suitors should pause for a moment to contemplate the character of the great lawyer who has so often appeared at our bar, and by his great learning, matchless power and thrilling eloquence, held all entranced by the strength and force of his arguments, and one, who, when transferred from the bar to the highest judicial position of the state, adorned the place, not only with the most

accurate and extensive learning, but with all the qualities of a great, upright and honest judge.

Milwaukee was his home, and in it transpired the principal events of his professional career and of his life. We were proud to claim him as a citizen, but his reputation is the property of the whole state.

Possessed of a brilliant intellect, and a cultivated mind, richly stored with the learning of the law, well versed in philosophy and science, with an intimate acquaintance with the ancient and modern classics, he was well fitted by nature and education to grapple with the most difficult problems of the law, and successfully meet any opponent in the legal forum.

Possessed of powers and learning far superior to most of his brethren of the profession, his brilliant and powerful efforts were often crowned with great success; yet it can hardly be said that he was successful as a lawyer in general practice. He was at no time possessed of a large amount of general business. His clients were not numerous, but strongly attached to and great admirers of him and his powers and acquirements.

The peculiarities of his disposition and temper doubtless restrained many from seeking his counsel who would otherwise have done so. It is not likely that he desired a great number of clients. To devote his time to a few important causes and questions, was much more to his taste.

His peculiarities of temper which proved so serious an impediment to his business success as a lawyer, while at the bar, would, it was greatly feared when he was raised to the bench, impair his usefulness as a judge. Advancing age had no doubt somewhat subdued the ardent spirit that in early life brooked no control. Whatever doubts of this kind had been entertained were soon removed.

As a judge he was always patient, painstaking and industrious, listening attentively to counsel, and frequently putting to them questions, tending to elucidate points in discussion, and by his friendly and quiet manner, encouraging the younger members of the profession to present their views upon all points suggested. On the bench no ill temper was ever manifested by him, to check or freeze out counsel, from fully presenting their points and arguing their cases.

His demeanor toward, and treatment of the bar, was always dignified, and becoming the exalted station he occupied. His opinions are models

of fine English, beautifully and forcibly expressed, and as legal documents, may be profitably studied by all the profession.

The life of the late chief justice was mainly devoted to his profession. He, however, always took a lively interest in political questions, and often an active part in political discussions. He firmly believed in the doctrines of the democratic party, and in his connection with politics, some of the nobler and more striking elements of his character were exhibited, and when occasion required, he could rise far above all party trammels, and soar aloft in the pure atmosphere of statesmanship and patriotism.

A most remarkable and praiseworthy example of this characteristic was exhibited in his course and action, in the celebrated case of Bashford against Barstow, in 1856. He, with many others of his party, were indignant that one not elected should be installed in the office of governor by his party associates. As the most distinguished counsel and eloquent advocate of the party, he stepped boldly to the front, denounced the wrong and outrage in the most scathing invective, and successfully conducted the legal proceedings, necessary to right the wrong and vindicate the constitution, and the rights of the people of the state.

His action resulted in placing a political opponent in the chief executive chair of the state. But it was a triumph of truth and right over an attempted fraud, and a vindication of the right of the people to have their voice respected. This was his chief reward. He was at all times loyal to the constitution of the United States. When the people of this state were roused to the highest pitch of excitement over the fugitive slave law, and the questions growing out of the Glover rescue, and our supreme court denied the constitutionality of that law, and the jurisdiction and authority of this court, and refused to recognize the appellate jurisdiction of the supreme court, he did not fail to denounce in the strongest terms the heresy that had seized our people and our courts, and in bold and manly argument maintained the constitution as the supreme law, and the rights and authority of the courts established under it.

Again in 1862, when all had changed, and war was upon us, military arrests frequent, and the writ of habeas corpus, if not suspended, at least disregarded, Edward G. Ryan presented to a convention of his party, assembled in this city, the famous Ryan address, which, while denouncing in the severest terms secession, and sustaining the war for the sup-

pression of the rebellion, attacked in the most scathing manner the arbitrary acts of the administration, in violation of the rights of the citizen and of the constitution.

Public opinion was loud in its denunciation of the propriety and policy of his course at that time, although no one attempted to controvert the truth of his positions.

In these, as in all other of the great events of his life, he was content to abide the judgment of history. To the last he stood firmly by his convictions, and, as expressive of his feelings, could truly say with the poet, "What is writ is writ." His life's work is now done. The learned lawyer, the eloquent advocate and great chief justice, united in his person, sleep quietly in yonder beautiful cemetery, and we trust will awake to a brighter and happier life in the world to come.

ORSAMUS COLE, Madison, comes of revolutionary stock, both of his grandfathers having served in the patriot army when the colonies revolted against British rule. He was born at Cazenovia, Madison county, New York, on the 23d of August 1819. His father was Hymeneus Cole, and his mother's maiden name was Sarah Salisbury. Orsamus completed his literary education at Union College, Schenectady, graduating with the class of 1843. Having prepared himself for the practice of the law he moved to Chicago, but after a few months in that then unpromising field he proceeded to Potosi, in Grant county, the thriving center of an extensive lead-mining district. There, in the year 1845, he established himself in the practice of law in partnership with William R. Biddlecome. Two years later he was elected a member of the second constitutional convention of Wisconsin, which body he entered as a young and comparatively unknown man, but speedily assumed a leading position in its debates and deliberations. When the convention had closed its labors the esteem and respect in which he was held was not bounded by party lines, and it required no special gift to foresee the brilliant career he would achieve in the history of Wisconsin.

In 1848 Mr. Cole was made the candidate of the whig party for representative in congress from the second district, comprising the whole of the western portion of the state, and perhaps the largest district in area in the Union. The democratic candidate was A. Hyatt Smith, and the free-soilers supported George W. Crabbe. The result was the election of Mr. Cole, who became a member of the thirty-first congress coinci-

dently with the inauguration of Zachary Taylor as President of the United States. His service in the national legislature was such as he can look back upon with eminent satisfaction. He was a whig of the whigs, and had never allied himself with the distinctively anti-slavery party, which, as we have seen, had opposed his election. Many whigs, under the magnetic influence of Henry Clay, the revered leader of the party, supported measures of compromise on this issue; but Mr. Cole was not a man to yield to any influence that would move him to compromise with wrong. It involves no partisanship to say at this day that his recorded vote against the fugitive slave law stands to his enduring honor.

At the close of a single term in congress Mr. Cole resumed the practice of the law at Potosi. In 1853 the whig party, already moribund, held a state convention, and nominated the late Henry S. Baird for governor, and Mr. Cole for attorney-general. Subsequently all the candidates excepting Mr. Baird withdrew their names to enable the disaffected elements and others to combine and nominate a new ticket which would better unite the opposition to the democratic Barstow ticket. With E. D. Holton for governor, Mr. Cole was put on the new ticket for attorney-general, although he did not attend either convention, nor did he desire the nomination. This new movement eventuated in the formation of the republican party the succeeding year. The entire ticket suffered defeat.

When the supreme court was first organized to consist of a chief justice and two associate justices, those positions were filled by the election of E. V. Whiton, A. D. Smith and Samuel Crawford. Judge Crawford drew the short term, which expired in 1855. In the spring of that year he was nominated by the democrats for reelection, and Mr. Cole was made the candidate of the young republican party. The result was the election of the latter. He has been a member of that tribunal ever since, having been four times reelected associate justice, the last time, in 1879, by 33,000 majority.

In November, 1880, the position of chief justice was vacated by the death of E. G. Ryan. Judge Cole had served under E. V. Whiton, Luther S. Dixon and the deceased, and had been senior associate justice for over twenty years. There was a very general sentiment that he should be placed at the head of the court, and Governor Smith gave effect to this feeling by appointing him chief justice. At the election in

April, 1881, this choice was enthusiastically ratified by the people. It should be added that so far from seeking the promotion Judge Cole was with difficulty induced to accept it.

Judge Cole's leading characteristics are a temper of singular equanimity, a strong and well-balanced mind, and a conscientiousness extending to every detail of duty. Add to these exhaustive learning and an almost instinctive apprehension of the principles of law and equity, and it is not clear what is wanting for the equipment of a perfect judge. A man of unaffected diffidence and the reverse of combative, he has yet, in a remarkable degree, the courage of his convictions. Early in his career upon the bench there came before the supreme court a question in which his views separated him from a large wing of his own party and antagonized a heated popular sentiment, but he asserted them without hesitation or equivocation. At the election that soon followed he was opposed in consequence by an independent republican candidate in the person of James H. Knowlton, and it is probable that his election was due to democratic support, but it need not be pointed out how complete is his vindication in the present attitude of the party that he then offended.

ASSOCIATE JUSTICES.

LEVI HUBBELL, Milwaukee, the youngest son of Abijah Hubbell, was born at Ballston, New York, on the 15th of April 1808. The young man commenced his education in his native town, and afterward attended school at an academy in Canandaigua, New York. Subsequently he was sent as a student to Union College, and in the year 1827 was graduated from that institution. He chose the profession of the law, in due course of time was admitted to the bar, and practiced several years with his brother Walter at Canandaigua, New York. He was for a time editor of the Ontario Messenger. In January, 1833, he was appointed by Governor Marcy to the office of adjutant-general of New York, and held the position until November 1836. In the same year he located at Ithaca, New York, and was elected a democratic member of the state assembly from Tompkins county.

He came to Milwaukee, Wisconsin, in June 1844, and from that time onward was a resident of that city. He then resumed the practice of law, and formed a partnership with Asabel Finch and William Pitt Lynde. Four years afterward he was appointed a delegate to the national democratic convention at Baltimore, in 1848, where he gave his

support to General Cass. In July of the same year he was elected one of the judges of the supreme and circuit courts of the state, which were then one and the same, his circuit embracing the counties of Milwaukee, Waukesha, Jefferson and Dane. His term of office expired in 1851, at which time he was reëlected for the term of six years. He continued to act in the capacity of judge until 1856, when, a separate supreme court being established, he resigned his position on account of the inadequacy of the salary, which was only fifteen hundred dollars, and once more resumed his practice of law at Milwaukee. In the year 1863 he represented Milwaukee county in the state legislature. In 1870 President Grant appointed him United States district attorney for the eastern district of Wisconsin, which office he retained until 1875.

His career as a circuit judge was marked by an instance curious as a matter of history. In the year 1853 an attempt was made to convict him by impeachment in the legislative bodies for misdemeanors in his office. It is unnecessary to say that the trial ended in his entire acquittal of the charges by the senate, before which he was arraigned.

Judge Hubbell died in Milwaukee.

CHARLES H. LARRABEE, Oregon, was born at Rome, Oneida county, New York, on the 9th of November, 1820. Having received an academic education, he moved to Chicago, and was city attorney of that city in 1846.

On the 10th of March, 1847, he settled in Dodge county, Wisconsin, and in the fall of the same year was elected a member of the second constitutional convention. He performed a prominent part in the labors and debates of that body, and the present constitution of the state is in some of its most important provisions the work of his hand. Thirty years later we find him appearing again in the role of a state-maker, as member of the convention convened in 1878, to frame a constitution for what is now the territory of Washington, in anticipation of its admission into the Union.

Upon the organization of the judiciary for the new State of Wisconsin in 1849, Mr. Larrabee was elected judge of the third circuit, and acted in that capacity for ten years. He was elected by the democrats as representative in the thirty-sixth congress, and was a candidate for reëlection, but was defeated by A. Scott Sloan. Upon the breaking out of the war Judge Larrabee promptly enlisted as a private in the

First Wisconsin regiment. He was subsequently commissioned major of the Fifth, and served with distinction in McClellan's campaign on the peninsula. In August, 1862, he was appointed colonel of the Twenty-fourth Wisconsin, which regiment he organized and commanded during its brilliant campaign with Rosecranz in Tennessee.

The western impulse seems to have been the governing motive of Col. Larrabee's character. Nothing but the Pacific ocean could stop him, and soon after the close of the war he removed to the far west, which he still makes his home and practices his profession. Judge Larrabee thus writes of his career :

"My father was Major Charles Larrabee, of the United States infantry, and was at the time of my birth under orders to Fort Howard, Green Bay. Mother and I had to be left behind, and did not join father till 1825, when he was ordered to Chillicothe, Ohio. I had only academic education at Granville and at Springfield, Ohio. At the former was schoolmate of Lyman C. Draper. The best work I ever did for Wisconsin was to induce Draper to remove from Baltimore to Wisconsin. I procured the first appropriation for a small salary for Draper as secretary of the Historical Society, and took an active part in its reorganization with Wm. R. Smith, Moses Strong, and Whiton. Whiton and I were judges of the supreme court then. I first brought Draper to the attention of Farwell, governor then, who aided me substantially and cordially. I read law with General Samson Mason at Springfield, Ohio, and was admitted to the bar in September 1841. To become a candidate for congress I resigned my seat on the bench at the urgent solicitation of Mr. Douglass, who wanted to show his anti-*I-eomptian* strength in the northwest, in view of the Charleston convention of 1860. I overcame 2500 republican majority in the district, and was elected by 1200 majority, but was swept under with Douglass in 1860. I left the army broken down in health, and took a sea voyage as a last resort; came to the Pacific Coast, recovered health, and have never regretted the change for a moment. When I left the bench, my bar, in their resolutions, said, I had been an industrious, capable and honest judge. I knew I had been industrious and honest, but doubted the other. The Lord has denied me any love of money whatever, so I am what they call a poor man. Being born in the army, I never had a particle of state pride. All the states seem to me like so many counties. Neither have I love of locality. Cities I hate. I am happiest in building up

new homes, introducing new fruits, plants, and other light productions of the soil.

WIRAM KNOWLTON, Prairie du Chien, was born in Chenango county, New York, January 24, 1816. He was brother of James H. Knowlton, who was one of Wisconsin's eminent lawyers. In May, 1837, he came with his father's family to Wisconsin, locating at Janesville. Commencing the study of law he subsequently completed it with Parley Eaton at Mineral Point, was admitted to the bar, entered upon practice at Platteville, and afterward removed to Prairie du Chien. Here he raised a company of volunteers, was appointed its captain, and mustered into the United States service to serve in the war with Mexico. The company was put on duty at Fort Winnebago, the regular troops stationed there being detailed for service in the field.

July 1, 1850, he was elected circuit judge of the sixth district, then just formed, and was sworn in in August of the same year, and held the office the full term of six years, three of which he acted as a judge of the supreme court, the circuit judges' office acting as such until the year 1853, when a "separate supreme court" was organized, and separate judges elected. He died in June 1863, when only forty-seven years of age.

SAMUEL CRAWFORD, Mineral Point, was born in Baltibay, Monahan county, Ireland, April 11, 1820; received an excellent academic education; came to this country and commenced the study of law, pursuing it one year at Warwick, Orange county, New York, and coming west in 1841 completed his course with J. M. Douglass, a distinguished lawyer, at Galena, Illinois; was admitted to the bar in 1844; began practice at New Diggings, Wisconsin; removed to Mineral Point in December of the same year, and formed a partnership with F. J. Dunn, and the firm of Dunn & Crawford acquired a large practice in that portion of the state. At the reorganization of the supreme court of the state, in 1852, he was elected one of the associate justices, took his seat in June 1853, and on the expiration of his "short term," in 1855, Orsamus Cole was elected to his place. Returning to Mineral Point he again entered into practice alone. In 1856 he was the candidate for member of congress of the democratic party against C. C. Washburn, who was elected. Judge Crawford removed to Madison to practice his profession in 1858;

was the unsuccessful democratic candidate for attorney-general in 1859; returned to Mineral Point, where he resumed his residence and practice, and died there February 28, 1861, while yet in the vigor of life and usefulness.

ABRAM D. SMITH, Milwaukee, came from the state of New York to the territory of Wisconsin in 1842. He practiced law in Milwaukee from that time until the establishment of the supreme court under the constitution, when he was elected one of the associate justices in September 1852. After the expiration of his term of six years he resumed for several years the practice of his profession in Milwaukee. Soon after the breaking out of the late civil war he accepted from the government an official appointment in South Carolina. Residence in that climate and severe labors in the performance of his official duties so impaired his health that he returned north, and on his arrival at New York he died June 3, 1865. He was subsequently buried in Milwaukee under the auspices of the Freemasons and the Milwaukee Bar Association.

Of him Judge H. S. Orton says: Judge Smith was a lawyer of ability, learning and eloquence; always kind, courteous and obliging. As a judge he was urbane, dignified and attentive, and appreciated the place he so nobly filled on the bench. He was always a generous, genial and hospitable gentleman.

BYRON PAINE, Madison, was born in Painesville, Ohio, October 10, 1827. In the autumn of 1847 he removed to Milwaukee with his father, James H. Paine, with whom he studied law in that city. He was admitted to the bar in 1849; was clerk of the senate of Wisconsin in 1856; was appointed by the governor county judge of Milwaukee county in 1856; was elected to the same in 1857, and held that office until the 1st of June 1859, when he took his seat as one of the associate justices of the supreme court of this state, to which position he had been chosen at the previous spring election, for the full term of six years, to fill the vacancy created by the expiration of the term of A. D. Smith. On the 10th of August 1864, for the purpose of entering the military service of the United States, he tendered his resignation of his judicial office, to take effect on the 15th of November following. He was appointed lieutenant-colonel of the 43d regiment of Wisconsin volunteer infantry.

and continued in the service until May 1865. He then resumed the practice of the law in Milwaukee, but on the 10th of September, 1867, he returned to his former seat on the supreme bench, having been appointed by the governor upon the resignation of Justice Downer. At the following spring election, in 1868, he was elected for the residue of the term, which would expire on the 1st of June 1871. He appeared in the consultation-room for the last time on the 22d of November 1870, from which time he was confined to his home in Madison by a severe attack of erysipelas, until his death on January 13, 1871. He left a wife and four sons, who continue to reside in Madison. Spending his business life mainly in the public service on a meager salary, Judge Paine had few opportunities or inclination to accumulate much property.

It was no small compliment to Judge Paine that he was elected to the position of county judge for Milwaukee county by a constituency two thirds of whom were his political opponents, and as a judge he was universally popular with all who had business with his court.

The portrait of Judge Paine adorns the supreme court room at Madison.

JASON DOWNER, Milwaukee, was born in Sharon, Vermont, September 9, 1813. His father was Solomon Downer, a descendant of the family of that name who emigrated to this country from Salisbury, England, and settled at or near Hartford, Connecticut. His mother's maiden name was Martha Huntington. His father was a farmer. Jason Downer worked with his father till nineteen years of age, when he entered Kimball Union Academy at Plainfield, New Hampshire. In 1834 he entered Dartmouth College, and was graduated from that college in 1838. Soon after he went to Louisville, Kentucky, where he read law, was admitted to the bar, and began the practice of law.

In November, 1842, he came to Milwaukee, Wisconsin, and began the practice of his profession, where he has ever since remained.

In November, 1864, he was appointed by the Governor of Wisconsin associate justice of the supreme court, and in April following was elected to that office for the term of six years; but in September, 1867, he resigned and returned to the practice of the law.

While he was upon the bench several questions were brought before that tribunal arising out of the state constitution and laws passed during our civil war. One of these questions, which were at the time of large

public interest, and in which Mr. Justice Downer delivered the opinion of the court, was involved in the case of Gillespie against Palmer and others, in which it was decided that the act of March 22, 1849, submitting to a vote of the people the question of extending the right of suffrage to colored persons became a law when approved by a majority of the votes cast upon that subject at the general election next after the passage of the act, instead of a majority of all the votes cast at that election, as had been contended.

Another such question was involved in the case Druecker against Salomon. This was a suit against Governor Salomon for damages in having arrested the plaintiff, and held him in custody for resisting the draft and engaging in insurrection in Ozaukee county. The court, in its opinion delivered by Judge Downer, held that the rules and regulations under which the draft was held were valid, that persons who conspired to resist the draft were guilty of levying war against the United States, and that the governor, not having exceeded the discretionary power conferred upon him in arresting plaintiff, was not therefore liable in an action for damages.

Judge Downer was the first editor of the Milwaukee Daily Sentinel, the first daily paper published in Milwaukee. He commenced in that capacity March 1, 1845, and closed his connection with the paper September 19 of the same year, having sold his interest in the establishment to John S. Fillmore for Rufus King, who then became the editor.

In years past he has taken great interest in promoting the welfare of the Wisconsin Female College, Fox Lake, acting as trustee of the institution and contributing largely to its maintenance and to the erection of additional buildings. To Judge Downer is due to some extent the continued existence of this excellent seminary.

WILLIAM PENN LYON, Madison, was born October 28, 1822, at Chatham, Columbia county, New York. His parents were members of the religious Society of Friends, commonly called Quakers, and he was brought up in that faith and still clings to its cardinal doctrines. He attended an ordinary country district school until eleven years of age, when he was taken from school and placed as a clerk in a small store kept by his father in his native town. After this he attended select schools at intervals, a few terms, amounting in all to about one year. These were the only school advantages he ever enjoyed. But with these, and

a reasonable use of his leisure time, he acquired, for those days, a fair English education, including a limited knowledge of algebra, geometry, Latin and natural philosophy.

At the age of fifteen years he taught a district school with indifferent success in his own estimation. He freely admits that school teaching was not his forte. From fifteen to eighteen years of age he was mainly employed as a clerk in a grocery store in the city of Albany. During that time he spent most of his leisure hours in attendance upon the courts and the legislature—his tastes leading him strongly in those directions—and eagerly listened to arguments and speeches made by such men as Erastus Root, Samuel Young, Judge Peckham, Judge Harris, Ambrose L. Jordan, and numerous others whose names have since become famous. He was always greatly impressed with the candor, dignity and impartiality of Luther Bradish, then the lieutenant governor of the state and president of the senate.

In 1841, when in his nineteenth year, he emigrated with his father and family to Wisconsin and settled in what is now the town of Lyons, Walworth county, where he resided until 1850. With the exception of two terms of school teaching he worked on a farm until the spring of 1844, when he entered the office of the late Judge George Gale, then a practicing lawyer at Elkhorn, as a law student. But before this he had read Blackstone's and Kent's commentaries quite thoroughly. He remained a few months with Judge Gale, but returning home to work through harvest. He was soon after attacked with acute inflammation of the eyes, and was thereby incapacitated to read or teach for nearly a year. That year he worked on the mill at Lyons, then in process of erection, and in the races leading to and from the same, at twelve dollars per month, earning one hundred dollars. In the fall of 1845 he entered the law office of the late Judge Charles M. Baker, at Geneva, as a student, and remained there until the spring of 1846, when he was admitted by the district court of Walworth county as an attorney. Having been chosen one of the justices of the peace of the town of Hudson, now Lyons, he at once opened an office at the village of Lyons and commenced the practice of the law, but in a very small way. His receipts for professional and official business the first year were sixty dollars; the second, one hundred and eighty dollars; the third, four hundred dollars, and the fourth, five hundred dollars. His income had increased so largely that during the second year, which



Mr. B. Lyon.

Before General Lyon had been mustered out of the military service he was chosen judge of the first judicial circuit, comprising the counties of Racine, Kenosha, Walworth, Rock and Green. He entered upon the duties of that position on December 1, 1865, and served for five years with a degree of ability that won unqualified commendation from all. In 1870 he was made the republican candidate for congress in the fourth district of Wisconsin, but was defeated at the polls by Alexander Mitchell.

The death of Byron Paine having created a vacancy on the bench of the supreme court of Wisconsin in January 1871, Judge Lyon was appointed, by Governor Fairchild, associate justice. In the April following he was elected for the unexpired term and for the full term succeeding. In 1877 he was re-elected without opposition for a term which expires in 1884.

The people of Wisconsin have been almost uniformly happy in the constitution of their highest judicial tribunal. And there have been none more deserving of confidence than he who now sits as senior associate justice. His knowledge of law is thorough, and his instinct of equity perfect, his mind has an equipoise that the scales of the blind-folded goddess cannot surpass, and his integrity is such as to class him with those into whose presence corruptionists dare not venture.

His wife is Adelia C., daughter of the late Dr. E. E. Duncomb, of St. Thomas, Ontario, Canada. They have two surviving children: Clara, born in 1857, and William Penn, Jr., born in 1861.

HARLOW S. ORTON, Madison, is a native of the State of New York, where he was born in the year 1817. He was educated at Hamilton Academy and Madison University in that state, subsequently teaching school and devoting himself during such time as he could spare for the purpose, to the study of the law.

About 1837 he removed to La Porte, Indiana, and a year later was admitted to the bar. In 1843, at the age of twenty-six, he was chosen probate judge. In 1847 he removed to Wisconsin, and practiced law at Milwaukee for four years.

Upon the accession of Leonard J. Farwell to the office of Governor of Wisconsin, in January 1852, Mr. Orton was appointed his private secretary, and thereupon took up his residence at Madison. In 1854, and again in 1859 and 1871, he served as a member of the Wisconsin assem-



Harlin S. Oxtow.

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David Taylor.

State of Wisconsin, and judge of the United States district court for the eastern district of Wisconsin. During the late war of the rebellion he served as colonel in the thirty-second regiment of the Wisconsin volunteer infantry.

CHARLES E. DYER, Racine, was born in Cicero, Onondaga county, New York, October 5, 1834, and is the son of Dr. Edward G. and Ann Eliza Morse Dyer. His father, in 1839, removed from the State of Ohio to Burlington, in this state, where he yet resides, having several years ago retired from the active practice of his profession, which was that of a physician. Mrs. Dyer, the wife of Dr. Dyer, died in 1880.

Judge Dyer was educated in a country school, and by himself, with the aid of such private instruction as he from time to time obtained. He studied the common branches; received also some instruction in the higher mathematics and in the languages, and was always a diligent student and reader of history and general literature. He left his home in 1850 at the age of sixteen years, and went to Chicago to learn the trade of a printer, engaging as an apprentice in the office of the "Western Citizen," an anti-slavery paper then published by Z. Eastman. He continued in this employment about a year, but not developing a fondness for the business he abandoned it. Meantime he had commenced the study of short-hand writing, which he afterward pursued, and became proficient in reporting.

In 1851 he removed to Sandusky, Ohio, where he entered the office of Rice Harper, who was clerk of the court of common pleas of Erie county, and a family friend, whose kindness and assistance will never be forgotten. Here he pursued with assiduity a course of reading and study, taking private instruction in the classics and the higher mathematics during spare hours.

He had a strong taste for historical reading, and is perhaps as familiar as any other man of his years with the historical events of nations and states and with their causes and effects, and the lives and actions of distinguished men. He also took a deep interest in the political events then transpiring, and stored his mind with facts pertaining to the issues of the times, which have proved of the utmost importance to him in later years. While in this office he became acquainted with Ebenezer Lane, then an eminent lawyer residing in Sandusky, and previously one of the judges of the supreme court of Ohio. Judge Lane took a deep

interest in his welfare and prospects, advised him to prepare for the legal profession, and admitted him to the free use of his large and well-selected library. He commenced his legal studies in the office of this excellent gentleman by copying briefs and other legal instruments, and was soon after received as a student in the office of the firm of Lane, Stone & Lane, of which Judge Lane was the head. He pursued a course of law-reading under the special guidance and instruction of W. G. Lane, son of Ebenezer Lane, then one of the members of the firm, and afterward judge of the court of common pleas of Erie county, Ohio, and now deceased; and after a thorough course of preparation, covering a period of three years, he was admitted to the bar in 1857. He at once entered into partnership with Walter F. Stone, since one of the judges of the supreme court of Ohio, and began the practice of the law at Sandusky, where he remained till December 1858. But being ambitious to establish himself independently in his profession, he came to Wisconsin, in January 1859, and located at Racine, where he has since resided. He opened an office and was at once admitted to practice in the supreme court of the state. He soon secured an excellent business and continued to practice alone for several years, until he formed a copartnership with Henry T. Fuller, which continued until January 1875.

He held the office of city attorney of Racine during the years 1860 and 1861; was member of the state legislature from Racine county in 1867 and 1868, and, February 10, 1875, he was appointed judge of the United States district court for the eastern district of Wisconsin, which position he now holds.

As assistant clerk of the court at Sandusky, Ohio, he early attracted the notice of the judge and bar by his fine taste and talent as a reader, for he not only wrote but read the journals of the court, and from the very outset developed an aptitude for the business and an acquaintance with every detail of the records that was considered extraordinary. Judge L. B. Otis, who was then presiding in the Sandusky court, predicted a brilliant and honorable future for him, and every step of his after life has tended to prove the correctness of those early portends. As a student he takes in the science of jurisprudence by intuition, and instead of plodding his way to success by years of perseverance, he seemed to ripen into a matured barrister in a day. Nor thus early were his high moral character, good habits and integrity less conspicuous. Every one who knew him placed in him implicit confidence. His word

was beyond question, and no business was considered too momentous or intricate to intrust to his care, even at that early age.

As an advocate, during his career at the bar of Wisconsin, he was recognized as both able and accomplished, familiar with the rules of equity and common law pleading, and in all places and under all circumstances faithful alike to his profession and his clients; and at the time of his promotion to the bench his professional prospects were of the most flattering character. Yielding to the earnest solicitation of his brethren of the bar, he went upon the bench, with a degree of hesitation as to his fitness for the place which disclosed that conscientiousness in the discharge of duty which is one of his leading characteristics. Bringing to the discharge of judicial duties the learning, ability and laborious habits to which he was largely indebted for his success at the bar, he has exhibited patience, impartiality, and an equable temper, eminently befitting the bench. No man ever held a judicial office in Wisconsin in whose integrity the bar and the people have had greater confidence, and it is safe to say that no man of Judge Dyer's age ever earned a better reputation in so short a time for judicial fairness and ability. His decisions command respect, for they are always the result of careful study and profound knowledge. Few men can perform more labor, for few have trained their minds to better methods of both reading and thinking.

He is, moreover, a man of pure mind and purity of taste. His language is always appropriate, ornate, and even classic in construction. There is nothing turgid or labored about his style; his logic is clear, pointed and indubitable. On the bench his industry is proverbial; every question, important or otherwise, receives the most thorough investigation, and is disposed of with an honesty and conscientiousness which commands the respect that such qualities deserve.

As a citizen he is self-sacrificing and public spirited, always lending a helping hand to whatever tends to promote temperance, education and prosperity. He served his fellow-citizens in the legislature so efficiently and ably that they sought to secure his services in other and more prominent public positions, but he felt it necessary to decline. With little taste for public life he feels that it is not necessary to be conspicuous to be useful, and that it would not be propriety for a judicial officer to become a candidate for political preferments.

He was married on April 6, 1859, to Miss Sarah E. Root, daughter of

J. M. Root, of Sandusky, Ohio, who in his time was a distinguished lawyer and citizen of that state, and for several years was a prominent member of congress.

ROMANZO BUNN, Madison, was born in South Hastwick, Otsego, New York, September 24, 1829. In September, 1832, he thence removed with his father's family to the town of Mansfield, Cattaraugus county, New York, which was then a wilderness, and where he resided, working on his father's farm summers, and attending the district school winters, until seventeen years old. In the fall of 1846 he entered Springville Academy, at Springville, Erie county, New York, which he attended during the summer and fall terms for three years, teaching a district school winters to get means. Beginning teaching in this way when seventeen years old, he continued it while attending the academy, and afterward while studying law, until twenty-four years old. He began the study of law at Elyria, Ohio, in the spring of 1849, in the office of McAcheron & Myers, in company with Charles C. Willson, an old friend and classmate, and now a leading member of the Minnesota bar at Rochester; and afterward continued it at Elliottville, New York, in the office of Harmon & Wood, until September 1853, when he was admitted to the bar, and immediately went in company with William H. Wood, a member of the firm with whom he studied, and so continued until the fall of 1854. In August, 1854, he was married to Miss Sarah Purdy, of Mansfield, and in September of that year removed to Wisconsin, where he stopped during the winter of 1854-5 with friends at Sparta, and in the spring of 1855 settled at Galesville, the county seat of Trempealeau county. The country was very new, and he had not much use for the few law books he brought with him. He worked on a farm some, and did what law and other business came along, until the spring of 1861, when he removed to Sparta and entered on the practice of law there. During the winter of 1860 he served a term in the legislature, representing the assembly district then composed of Trempealeau, Jackson and Buffalo counties. He continued the practice of law at Sparta until the spring of 1868, when he was elected circuit judge of the sixth circuit; was reëlected in the spring of 1874, and held the position until October 1877, when he was appointed by President Hayes United States district judge of the western district of Wisconsin. This appointment made it necessary for him to remove to Madison, which he

did with his family in the summer of 1879, where he still resides. In 1878 Judge Bunn was elected one of the professors of the law class in the University of Wisconsin.

JUDGE UNITED STATES SUPREME AND CIRCUIT COURTS.

DAVID DAVIS, Bloomington, Illinois, is descended from Welsh ancestors, who had resided in this country more than a century at the time of his birth, March 19, 1815.

The home of his childhood was in Cecil county, Maryland, where he pursued his early education until he went to an academy in Delaware to prepare for a regular classical course.

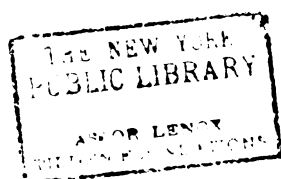
Mr. Davis went from the academic school in Delaware to Kenyon College, Ohio, entering that institution in the autumn of 1828. Ohio was then a comparative wilderness, and for a boy student only thirteen years of age, without a relative to welcome him, the prospect was lonely and uninviting. But there was something of the heroic in the native energy of character and firmness of purpose which revealed the man of after life. In 1832, when seventeen, he graduated, and soon afterward chose the law for his profession. The advantages for its study were few in the west at that time, and he started on a long and difficult journey east, reaching at length the old town of Lenox, Massachusetts, to prosecute his studies in the office of the distinguished lawyer, Judge H. W. Bishop. After two years spent in that office he went to the law school at New Haven, Connecticut, then under the direction of Judges Daggett and Hitchcock, both of whom were known as eminent jurists. Here Mr. Davis enjoyed the excellent legal discipline which had the effect to mould his character into that of a lawyer of clear and accurate knowledge of legal principles and precedents which has since given him his merited prominence. Upon his admission to practice he turned his face again toward the Great West, settling in Pekin, Tazewell county, Illinois. This was in the fall of 1835. Pekin was selected because of its geographical position upon the Illinois river giving promise of rapid growth. The prevalence of fever and ague there compelled him to leave the place at the end of a year, and he removed to the town which is now the pleasant city of Bloomington, his present residence. Here he began in earnest to lay the foundation of his future success by hard work, which he ever regarded as a better dependence

than genius. Shortly after his settlement in Bloomington he married Miss Sarah Walker, of Pittsfield, Massachusetts, who died in November 1879. Mrs. Davis was a fit companion for him, and left many pleasant memories of charity and kindness.

The proceeds of a considerable fortune were devoted by her to the alleviation of human suffering, and she contributed very much to the success of her husband's life. Mr. Davis was an ardent whig of the Henry Clay school, but had no taste for political life. Without solicitation he was nominated for the legislature of Illinois, and elected, in 1844, and to the constitutional convention in 1847. In both positions, especially the latter, he took a leading part. Upon the adoption of the new constitution, in 1848, a new judiciary had to be elected in the entire state. The circuit in which he lived was largely democratic, but Mr. Davis was not a bitter partisan, and by the common consent of the bar and people of his circuit he was chosen judge. Abraham Lincoln was then in the full tide of successful practice, and visited Judge Davis' circuit, forming with him a life-long friendship. The judge saw from the beginning evidence of inborn greatness in his afterward famous friend. Judge Davis' circuit embraced fourteen of the largest and most wealthy counties of the state. It was before the day of railroads, yet neither rough traveling nor bad weather prevented him from always being in his place ready to proceed with the public business. Soon after his settlement in Illinois he began investing in prairie lands, and laid the foundation of that fortune which he now dispenses in acts of unostentatious charity. In 1858, when Abraham Lincoln was a candidate against Stephen A. Douglas for the United States senate, Judge Davis supported Mr. Lincoln with great earnestness. Recognized as Lincoln's confidential friend, he was selected delegate at large to the republican national convention at Chicago, in 1860, where his management as a leader was very successful. In 1860 and 1861 he counselled a moderate and conservative course, in the hope that war might be averted. He formed one of the presidential party to Washington, but after the inauguration resumed his duties on the bench which he performed until selected, with General Holt and Mr. Campbell, of St. Louis, to investigate the administration of the department of St. Louis, then under the command of General Fremont and Major McKinstry, during a period of the war of the rebellion. In the summer of 1862 a vacancy occurred on the bench of the supreme court of the United States, and Judge Davis was



David Davis



selected in the fall of 1862 associate justice. At that time Judge Tancy was chief justice, and between the two there commenced a friendship which continued until the latter's death. Judge Davis served on the bench of the supreme court until February 1877, when he resigned to accept the office of United States senator from the State of Illinois.

He met with no opposition to his reelection as judge of the state court, the bar and people both being satisfied with the prompt, impartial and honest discharge of his duty. His labors in the federal and state courts extended through a period of twenty-nine years, during which time he adjudicated questions of the highest importance affecting life, liberty and property. His opinion in the celebrated *Milligan* case is regarded by the profession as one of the ablest expositions of the rights of civil liberty ever announced by a court. It was criticised unfavorably by some, but by the lawyer and the jurist it will ever be regarded as a sound constitutional recognition of the personal and individual rights of the citizen. During the first four years of President Grant's administration much dissatisfaction arose in the republican party, and, as an outgrowth, the liberal movement was organized which assumed form in the Cincinnati convention. A considerable portion of the democratic party and a large number in the liberal cause regarded Judge Davis as a proper candidate for the presidency, he having been nominated by the labor reform party in January 1872. His friends presented his name at Cincinnati, but, owing to certain combinations, he was defeated, and Mr. Greeley became the nominee in the remarkable campaign of 1872. In the Illinois senatorial campaign of 1876 the balance of power was with the independent party, friendly to Judge Davis; and after a protracted contest by a combination of the democratic party with the independents he received a majority and was elected. His term as senator commenced on the 4th of March, 1877, with President Hayes' administration.

Elected by a combination of parties, he has identified himself with none, but has maintained independence, voting for or against measures without reference to party lines. On account of his ability as judge he was selected member of the judiciary committee, in which for more than four years he has been a great worker in the advancement of the public interests. His speech on the Geneva Award bill reported by the committee was regarded as a very able exposition of the law in favor of the underwriters. Judge Davis is not a speech maker, but does a great

deal of work in the committee room and in the business detail of the senate. His disposition is to deal with practical questions of legislation, leaving the discussion of mere party politics to others. Upon the reconstruction of the senate at the inauguration of President Garfield's administration, he was tendered the chairmanship of the judiciary committee, which he declined, giving his reasons in a speech worthy the better days of the republic. After the death of President Garfield, Judge Davis was elected president of the senate, without having in any way sought that high honor. In accepting it he informed the senate that if the least party obligation had been made a condition, directly or indirectly, he would have declined the compliment.

Independent in thought and in action, Judge Davis has never favored the arts of the politician, nor sought to gain any object by devious courses. Upright and straightforward, he has always moved openly on a given line of conduct, and boldly proclaimed his convictions on public questions; hence the universal confidence in his integrity of character. Although now over sixty years of age, his mind and body are unimpaired in vigor and health. He resides on one of the most highly cultivated farms of the state, adjoining the city of Bloomington, in a mansion of great elegance and taste. His life has been a great success, financially and officially.

"How blest is he who crowns in shades like these,
A youth of labor with an age of ease."

JOHN MARSHALL HARLAN, Louisville, Kentucky, was born in Boyle county, near Danville, Kentucky, June 1, 1833, and is a son of James Harlan, who was a prominent lawyer of the state. He graduated at Centre College, under the presidency of John C. Young, D.D., LL.D.; studied law with his father; graduated in 1853 in the law department of Transylvania University, at Lexington, under Chief Justices Thomas A. Marshall and George Robertson, and entered upon the practice of his profession at Frankfort, in his native state.

In 1858 he was elected county judge of Franklin county, and held the office one year. In 1859, when but twenty-five years of age, he was the whig candidate for congress in the strongly democratic district of Ashland, and came within sixty-seven votes of an election. In the spring of 1861 he moved to Louisville, when he became associated with Hon. W. F. Bullock and practiced with great success. The civil war breaking out soon after, he relinquished practice and recruited and



John M. Warlan

CIRCUIT COURT JUDGES.

MONTGOMERY M. COTHREN, Mineral Point, was born at Jerusalem, Yates county, New York, September 18, 1819. His father was Nathaniel Cothren, and his mother Clarina Weed, who died at the age of eighty-two years. Mr. Cothren was educated in New York, and subsequently studied law at Kalamazoo, Michigan. Having removed to Mineral Point, he was admitted to the bar of the United States district court in 1843 by his honor Charles Dunn, since which time he has been in the active practice of his profession or upon the bench.

He was a member of the last territorial legislature of Wisconsin, and served in the state senate in 1849 and 1850. In the presidential election of 1852 he was one of the electors for the state at large, and cast his vote for Franklin Pierce and William R. King for president and vice-president. During the same year he was elected judge of the circuit court, and served in that capacity for twelve years. At the close of his second term as circuit judge he declined a reelection, and for the twelve years ensuing engaged in the practice of the law; but in 1876, after a notable triangular contest against two members of the bar of great eminence and popularity, he was again chosen judge of the circuit court, which office he still holds. In 1879 he was nominated for associate justice of the supreme court by a caucus of the democratic members of the legislature, but the nomination was not confirmed at the polls.

In the campaign of 1880 he was the democratic candidate for member of congress in the third district; but was defeated by Hon. George C. Hazelton.

The bar of southern Wisconsin has been graced by many lawyers of commanding ability, and a moment's reflection will summon to the mind the names of Dunn, Hamilton, Mills, Knowlton, Washburn, Strong, Cole, Crawford, Barber and others; second to none in this eminent list the name of Montgomery M. Cothren will take its place in the history of the state.

EGBERT B. BUNDY, Menomonee, was born at Windsor, New York, February 8, 1830; was educated at Windsor Academy, studied law with F. G. Wheeler at Windsor, and Wheeler & Morse, Depoint, New York, and was admitted to the bar at Cortland, New York, in January 1850. Subsequently coming to Wisconsin he practiced law in Dunn county,

was elected county judge, and is now serving on the bench of the circuit court.

HENRY DANFORTH BARRON, Saint Croix Falls, was born at Wilton, Saratoga county, New York, April 10, 1833. His education was in the common schools, after completing which he entered the law school of Ballston Spa, New York, and graduated in due course, which admitted him to practice in the courts of that state.

In 1851, at the early age of nineteen, an enterprising spirit and sound judgment summoned him to the west, and he took up his residence at Waukesha, Wisconsin. Becoming editor of the Waukesha "Democrat," he changed its name to the "Chronotype," and conducted it successfully for several years. In 1853 he was appointed, by President Pierce, postmaster of Waukesha.

In 1857 he changed his residence to Pepin, where he entered upon the practice of his profession, which he pursued until July 1860, when he was appointed, by Gov. Randall, judge of the eighth judicial circuit, comprising the northwestern counties of the state, and a circuit of large area and great importance. Soon afterward Judge Barron moved to St. Croix Falls, and in 1862 was unanimously elected member of the assembly from the counties of Ashland, Bayfield, Burnett, Barron, Douglas and Polk, and was reelected in 1863, 1865, 1866, 1867, 1868, 1871 and 1872.

He was speaker of the assembly for the session of 1866, and again for 1873. As one of the republican presidential electors-at-large in 1868 he was president of the electoral college of that year, and performed the same duties for the same party in 1872. Having been elected, by joint ballot of the legislature, a regent of the Wisconsin State University in February, 1863, he has continued in that office until his election as circuit judge, in 1876. He was for many years one of the vice-presidents of the State Historical Society.

President Grant nominated Judge Barron, in March 1869, for chief justice of the Territory of Dakota, which honor was declined by the judge, when, in April following, the President appointed him fifth auditor of the United States treasury, which was accepted; and serving in that capacity until January 1, 1872, he resigned the office to take a seat in the assembly, to which he had been elected by his former constituents. In May, 1871, he was appointed by Governor Fairchild a trustee

twenty-three. In 1842 he came to Wisconsin and formed a partnership at Madison with Thomas W. Sutherland, then United States district attorney for Wisconsin. He was afterward associated with the late George B. Smith, and later became a member of the firm of Collins, Smith & Keyes.

He was a member of the territorial council of Wisconsin during its last three sessions; was nominated by acclamation by the whigs of the second congressional district as their candidate for congress against Morton C. Darling, democrat, in 1848, and the next year was nominated by the same party for governor against Nelson Dewey, but the democrats being strongly in the majority he was defeated. Later he was generously supported by the whig party with Chief Justice Whiton against Governor Dodge and I. P. Walker for the United States senate.

The interval from 1842 to 1855 was devoted to the practice of law, at the end of which time he was elected judge of the ninth judicial circuit, which office he held four years, when impaired health induced his resignation. He then became a partner of Governor Doty, at that time living in retirement on Doty's island, in his business affairs generally, and soon after removed to Winnebago county for the better management of the business. He subsequently began the practice of the law in Chicago, Illinois, but was soon after obliged to abandon it on account of serious rheumatic difficulties. He spent some time in agricultural pursuits and then returned again to the practice of law, settling down in Appleton.

In politics he had been a whig, afterward a republican of anti-slavery type, and has always taken a deep interest in the political questions of the day without having a taste for political life or seeking political preferment.

Judge Collins has acted a conspicuous part in the judicial history of this state, his associations having been, and still are, with all the eminent jurists contemporary with his long life at the bar and on the bench; among whom could be reckoned E. G. Ryan, James H. Crawford, M. M. Strong, Levi Hubbell, W. P. Lynde, S. U. Pinney, Orsamus Cole, and, in fine, all of the leading members of the bar and bench in and out of Madison.

Although past the allotted three-score years and ten, the judge, hale and well preserved, is still in active practice at Appleton, with the apparent prospect of many years of work yet before him. Blessed with

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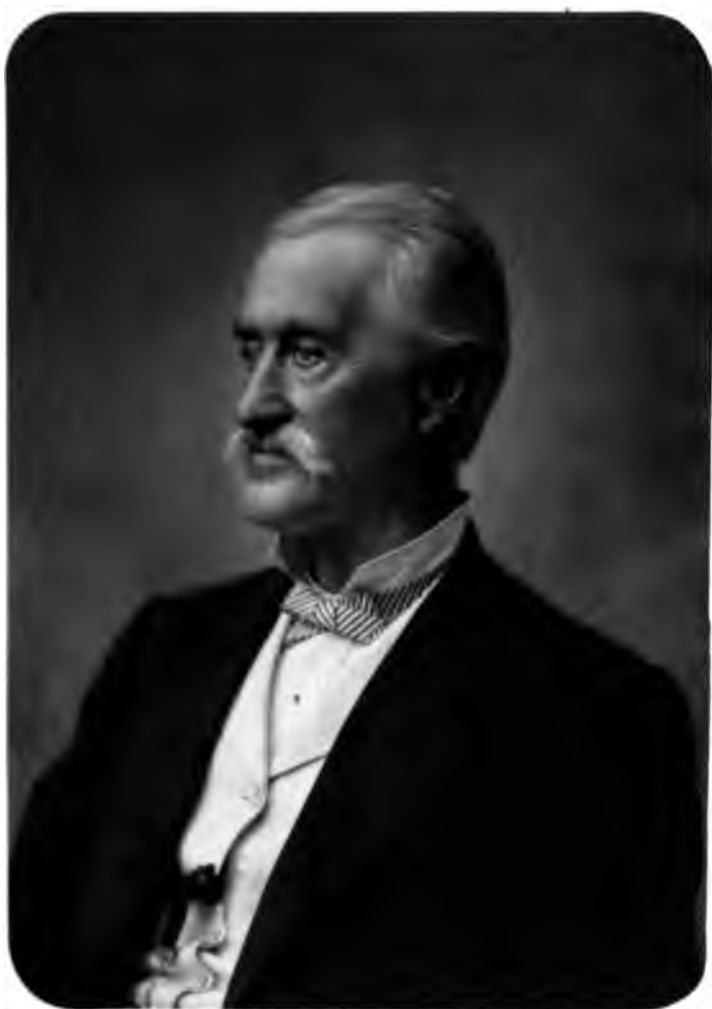
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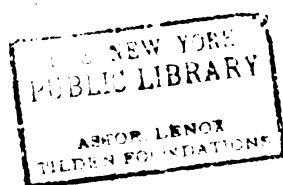
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A. L. Collins



a competence, he seems to cling to the duties of the profession for the love of it, and will be likely to die in the harness, like unto many a lawyer devoted to his profession.

GILBERT L. PARK, Stevens Point, was born in the town of Scipio, Cayuga county, New York, August 31, 1824. He read law at Kalamazoo, Michigan, and was admitted to the bar there. He came to Wisconsin and located at Grand Rapids in 1851; resided there one year, and then removed to Plover where he remained three years, at the end of which time he changed his place of residence to Stevens Point, where he has continued to live to the present time. For several years he was district attorney of Portage county, before Wood county was set off from it.

During the war of the rebellion he was in the military service. Entering the army in November, 1861, he served as adjutant of the Eighteenth Wisconsin Infantry, and was in all of the engagements in which that regiment participated from the battle of Shiloh to the time it was mustered out in March 1865. On returning home he resumed the practice of law, and early in the year of 1875 was appointed circuit judge of the seventh judicial district, was elected to the office in April of the same year, reëlected in 1879, and is still serving. In February, 1856, Judge Park married Mary M. Beach, of Climax, Michigan, and they have three children.

DAVID W. SMALL, Oconomowoc, was born at Frankfort, Philadelphia county, Pennsylvania, December 18, 1827. His parents belonged to the Society of Friends, and were farmers. He lived on the farm until he was sixteen years old, and attended the public schools during the winter months. He was a student in the Moravian College at Nazareth for two years. At eighteen years of age he began teaching, and reading law under the instruction of George Lear, of Doylestown, Bucks county, Pennsylvania. In April, 1850, he was admitted to the bar at Doylestown. The following month he came to Oconomowoc, Wisconsin. At first his law business was not very prosperous, and he combined the duties of a surveyor with his profession until 1851. By this time his business had increased to such an extent as to occupy his entire time. In 1862 he was elected district attorney for Waukesha county, on the democratic ticket, to which office he was subsequently reëlected twice. In 1869 he

was elected judge of the second judicial circuit. In 1875 he was re-elected by a large majority. Judge Small resides upon and cultivates a small farm near the village of Oconomowoc. Judge Small was born and brought up in the Society of Friends, and still believes in their fundamental principles.

His wife's maiden name was Susannah Ely. They have three children.

ALFRED WILLIAM NEWMAN, Trempealeau, was born at Durham, Greene county, New York, April 5, 1834. His father was a farmer. He graduated at Hamilton College, New York, in 1857; studied law at the law department of the same college, and afterward with John Olney, of Windham Centre, Greene county, New York; was admitted to practice at Albany, New York, in December 1857, and located at Trempealeau in March 1858. In April, 1860, he was appointed county judge, and held the office until January 1867; was district attorney from January 1867 to June 1876, with the exception of the years 1871 and 1872; was member of the assembly in 1863; was state senator in the years 1868 and 1869; and in April 1876 was elected circuit judge for the sixth judicial district.

Coming to Wisconsin, and settling at what was then an early day for that section of the state, it will be seen by the record of his life that his career was progressive and honorable, with official and important trusts placed in his keeping, in all of which he has proved faithful, discharging the duties appertaining to them in a manner that has evinced ability, uprightness and usefulness.

CHARLES M. BAKER, Geneva, was born in New York city, October 18, 1804. His father soon after removed to Addison county, Vermont, where the subject of this sketch attended a neighboring school until he became twelve years of age. He was a hard student, and in 1822 entered Middleburg College, but was compelled to relinquish his studies before the close of the first term on account of failing health caused by too severe application. After several months rest, his health being in a measure restored in the fall of 1823, he accepted the position of assistant teacher in a young ladies' school at Philadelphia, where he remained two years. In 1826, he commenced the study of law in the office of S. G. Huntington, at Troy, New York, where he remained three years, and



C. M. Baker

was then admitted to the bar. Forming a partnership with Henry W., a brother of Marshall M. Strong, of Racine, in the spring of 1830, he removed to Seneca Falls, New York, where he engaged in the practice of his profession until 1834, when his health being again affected by too close application, he relinquished his practice and returned to Vermont, with little hope of surviving. A change to mercantile business improving his health, he moved West in 1838, and located at Geneva Lake, Walworth county, Wisconsin. In 1839, he was appointed district-attorney of the county, and was a member of the territorial council for the counties of Walworth and Rock for four years, commencing 1842, and was a delegate to the first constitutional convention in 1846.

He was appointed by the Governor in 1848, one of the three commissioners to revise and codify the statutes of Wisconsin, and in March 1849, was elected by the legislature to superintend the printing of the volume in Albany, New York. On the resignation of Judge J. R. Doolittle in 1856, he was appointed to the bench of the circuit court, but declined to become a candidate for re-election upon the expiration of the term. During the late war, he was Judge Advocate under Provost Marshal I. N. Bean, in the first district of Wisconsin. Judge Baker died at Geneva, Wisconsin, in January, 1873, leaving the following surviving children:

Edward L. Baker, of Redwing, Minnesota; Charles H. Baker, of San Francisco, California; Mary, wife of George H. Browne, of Providence, Rhode Island, and Robert H. Baker, of Racine, a member of the well-known firm of J. I. Case & Company.

JOHN R. BENNETT, Janesville, was born in Rodman, Jefferson county, New York, November 1, 1820; was educated in that county, and read law at Sackett's Harbor with Dyre N. Barnham. He was admitted to practice in the courts of New York, May 8, 1848, and in the month of October of the same year came to Janesville, Rock county, Wisconsin, where he has ever since resided. Mr. Bennett is over six feet in height, is well proportioned, and has great physical strength and endurance. In personal appearance it is said he strongly resembles Lincoln, and in the opinion of the writer of this sketch, has many of the mental characteristics that made the latter so great and beloved. From the outset Mr. Bennett took front rank at the bar in Rock county, a position he has ever since easily retained; and when it is remembered

that Whiton, Carpenter, Noggle, Knowlton and Jorden were then among its members, his abilities will best be understood. As a lawyer and advocate he has few if any superiors at the bar in this state, and his professional life has been in consequence a busy one in his office and in the courts. In addressing court or jury he always commands attention and respect by reason of his learning, ability and force. His resources in the trial of cases are wonderful, and however great his disappointment with the rulings of the court or by the evidence, he is generally able to surmount all embarrassment, and conduct his case to a successful issue. Litigants soon learned his great worth as a trial lawyer, and have kept him steadily employed in his profession. Scarcely has there been a case of importance tried in Rock or any of the adjoining counties but he has been employed either as attorney or counsel. He is especially able and acute as a cross-examiner, and his triumphs as such have been many and marked. His commanding presence and great abilities have given him many clients in the southern part of the state, and his eloquence, when occasion has demanded it, has always insured him audiences to be instructed and delighted by his utterances. It may be truthfully said of Mr. Bennett that he is a giant in his profession. He is still in the meridian of his abilities and power, and gives promise of years of future activity and usefulness in his profession.

Since the above was written Mr. Bennett has been elected judge of the circuit court, as successor of Judge H. L. Congar. His elevation to the office was the spontaneous wish of the bar and people of the district, and was without an opposing candidate, April 1882.

GEORGE W. CATE, Stevens Point, was born in Montpelier, Vermont, September 17, 1824, and was educated in the public schools, studied law, and was admitted to the bar at Montpelier in 1845. The same year he came to Wisconsin, and settled at Plover, where he engaged in the practice of his profession. In 1852 he was elected member of the assembly, and again in 1853. In April, 1854, he was elected judge of the seventh judicial circuit, and served in that capacity until he resigned on March 4, 1875, to take his seat in the national house of representatives, to which he had been elected as a liberal reformer in November, 1875, by a majority vote of two, over A. S. McDill, who was then holding the position as a straight republican. Having served out his term in congress Judge Cate was again a candidate, but, in the meantime, the re-

publican party had become strong enough in his district to elect one of its members. It is but due to Judge Cate to record that his course in congress was eminently clear and honorable.

While in congress he strenuously opposed the formation of the electoral commission to settle the presidential question between Tilden and Hayes, and was one of the seventeen members who voted against the act creating the commission.

Upon returning to private life he entered upon the practice of law at Stevens Point, where he speedily became a leading attorney, engaged in the most important legal causes, and has the reputation among the law fraternity of a profound lawyer and successful advocate.

JOSEPH T. MILLS, Lancaster, was born in Crane Ridge, Bourbon county, Kentucky, December 18, 1812. He acquired an academic education, studied law, was admitted to the bar, came to the west, and located in Bond county, Illinois, in 1831, moved to Wisconsin and permanently settled at Lancaster in 1843, when he entered into the practice of the law; was elected circuit judge for the fifth circuit, and served from 1865 to 1877, and was a member of the assembly in 1856, 1857, 1862 and 1879.

Judge Mills has ever been prominent in the public and judicial affairs of the state; no man stands higher in Wisconsin for profoundness in legal lore, and for general information; his wit and humor is not surpassed, if equaled, by any of his contemporaries, and the course of his long life has been one of unalloyed purity. Although now nearly three score years and ten his mental vigor remains unimpaired.

DAVID NOGGLE, Janesville, was born in Franklin, Franklin county, Pennsylvania, October 19, 1809. He had no opportunities for education beyond what was furnished by the common schools, and his time spent even in these rudimentary institutions was very limited; notwithstanding which, by almost unaided efforts and tireless perseverance, he overcame the difficulties of his surroundings sufficiently to fit himself as a teacher. His general occupation prior to 1838 was farming, but by diligent use of his time he fitted himself for the bar, to which he was admitted by the supreme court of Illinois, and at once took a high and commanding position in the profession. He married Miss Anna M. Lewis, of Milan, Ohio, October 15, 1834. In 1839 he located at

Beloit, in the practice of his profession. In 1846 he was elected a member of the first constitutional convention from the county of Rock, and was selected by that body chairman of the committee on corporations, other than banking and municipal, and he became prominent as one of the leading men of the convention.

In 1854 he was elected member of the assembly from the city of Janesville, to which place he had removed in 1850, and was reëlected to the same position in 1857. He was subsequently elected judge of the first judicial district to fill the unexpired term of Judge Keep, and was reëlected to the same position for the succeeding term. In 1860 he was appointed chief justice of the territory of Idaho, and having served for five years, was compelled to resign on account of failing health, and the growing infirmities of age, that incapacitated him for further active life. He died at Janesville in 1879.

GOVERNORS.

NATHANIEL P. TALMADGE was a native of Chatham, Columbia county, New York, where he was born, February 8, 1795. He received a good early education, and was a graduate of Union College. Directing his attention then to the study of the legal profession, he was admitted to the bar in 1818.

In 1828 he was elected to the assembly of New York. He held the office of State senator from 1830 to 1833, when he was elected to the United States senate from New York, which position he occupied until 1844, having been once reëlected. He was appointed Governor of Wisconsin territory by President Tyler, June 21, 1844, whereupon he removed to Wisconsin and entered upon the duties of his office, succeeding James D. Doty, thus becoming the third territorial executive. He held that position a little less than a year; a change in the national administration having occurred. Henry Dodge was appointed his successor by President Polk, April 8, 1845.

The ex-governor, upon his retirement, made his residence at Fond du Lac, and applied himself to the practice of his profession. He was a man of excellent character and acknowledged ability. His death occurred November 2, 1864, at Battle Creek, Michigan.

NELSON DEWEY, Cassville, the first Governor of Wisconsin after it became a state, is a native of Connecticut. He became an early settler of Cassville, Grant county, Wisconsin, and practiced law. On the organi-

zation of that county, in 1837, he was chosen register of deeds. He was a representative from Grant county in the second legislative assembly of Wisconsin territory, chosen in 1838; was speaker of the House during the fourth, or extra session of twelve days in August, 1840, and the latter year he was reëlected. In 1842 he was elected a member of the council, and during its fourth session of thirty days' duration, was its president. On May 8, 1848, he was elected governor of Wisconsin by the democratic party, and was sworn into office June 7, following. He was installed on the first day of January, 1850, retiring on the fifth day of January 1852. He has been one of the board of directors for the state prison. Governor Dewey early gave up the practice of law to enter upon official duties, from which he has now retired.

COLES BASHFORD, Tuscan, was a native of Wayne county, New York, and was born in the year 1817.

After receiving an early education, such as the schools of those days afforded, he studied law at Lyons, in his native county, where he was admitted to the bar, and commenced the practice of his profession. Soon, however, he was attracted to the west, and settled at Algoma, now a part of the city of Oshkosh. In 1852 he was elected to the state senate, was reëlected in 1854, and subsequently resigned to occupy the executive chair. He became a republican on the organization of that party, and in 1855 was nominated in its convention for governor, in opposition to William A. Barstow. This memorable campaign resulted in the issuance of the certificate of election to Barstow, by the state canvassers. His right to the seat was contested before the supreme court resulting in the resignation of Barstow and the seating of Mr. Bashford.

On the expiration of his term in 1858, he resumed the practice of law at Oshkosh. In 1863 he removed to Tuscan, Arizona, where he died in 1880.

During the year 1864 and the year following he was a member of the council of that territory, attorney-general in 1866, then delegate in congress for two years, and soon after secretary of the territory, which office he resigned in 1876, in order to devote his attention wholly to a large law practice.

ALEXANDER W. RANDALL was born in Cooperstown, New York, about the year 1819. After passing through his school days he read law. Soon after his admission to the bar he emigrated to Wisconsin, locating at Prairieville, now Waukesha. He commenced the practice of his profession with a fair show of success; but his love of political life was so great, and he devoted so much time to politics, that it interfered considerably with his legal practice. Mr. Randall was originally a democrat. He was always zealous in the cause he espoused, and a working member of the party in which he acted. His first office was that of a member of the first constitutional convention in 1846.

He took a prominent position in that party. In 1848, when the free soil movement was inaugurated, Mr. Randall was prominent therein. He did not, however, long harmonize with that party, but soon fell back into the regular ranks of the democracy. In the fall of 1854 he was elected as an independent democrat to the assembly of the state. He became afterward a recognized republican, and in 1855 ran on the state ticket of that party for attorney-general, but was defeated. In the gubernatorial contest between Barstow and Bashford, he acted as one of the attorneys for the successful contestant, Coles Bashford. In 1856, Bashford appointed Randall judge of the second judicial circuit, composed of the counties Milwaukee and Waukesha. His judicial career was brief; for in 1857 he was nominated as the republican candidate for governor, and elected. He entered upon his duties January 1, 1858, and discharged them so satisfactory to the people that he was reelected in 1859. His second term carried him through the year 1861,—the first year of the war. He proved himself a very able war governor. The ability, energy, and boldness with which he labored for the service gave him a national reputation.

In 1861, Governor Randall was a candidate for United States senator, but was not elected. At the end of his second term as governor, Lincoln appointed him minister to Rome. In 1865 he was appointed assistant postmaster-general. He afterward, upon the resignation of William Dennison as postmaster-general, was placed at the head of the post-office department, which position he held until the close of Johnson's administration. This was his last official position. He died at his residence at Elmira, New York, July 26, 1872.

EDWARD SALOMON, New York, was born in the year 1828, near the city of Halberstadt, in Prussia. His father was Christoph Salomon, who had served with distinction in the Prussian army, and afterward was an officer in the civil service of Prussia, and his mother was named Dorothea. They were Lutheran Protestant in religion, and he was educated in that faith. He received his school education at a college in Halberstadt, and was afterward a student in the university of Berlin. He came to Wisconsin in 1849, and he lived in Manitowoc in this state until the latter part of the year 1852, when he came to Milwaukee to read law, having meanwhile given great attention to the study of the English language, with which he became so familiar as to read, speak and write it with ease, correctness and fluency. In the city of Milwaukee he entered the office of E. G. Ryan, late chief justice of the supreme court of Wisconsin, and there studied diligently until he was admitted to practice upon thorough examination by the judges of the supreme court in Madison. This was in the year 1855. He was then a young man of extremely fine appearance and prepossessing manners. Tall, well-formed, graceful, with black hair and dark blue eyes, speaking English extremely well but with a slight foreign accent, elegant and courteous, he attracted the attention of all, and he rapidly rose to high estimation, not only among Germans, but among all classes of his fellow citizens. He was introduced by Mr. Ryan to Mr. Winfield Smith, who had then lately commenced to practice in Milwaukee, and they formed a partnership in November 1855, which continued until November 1869, when Mr. Salomon left to take up his residence in the city of New York, where he has ever since remained. He had been a diligent and thorough student, and his habits of close and careful investigation continued and contributed to his reputation as a well-read and accurate lawyer. He is possessed of sound sense, good practical judgment, a good knowledge of men and things, and that capacity for seizing the strong points in every case, and for presenting them forcibly to the court and jury which is so necessary to success in that profession. He became a favorite with judges and juries, and the business of his firm increased with rapidity, and its members rose to a high standing in their profession.

Mr. Salomon was a democrat, but gradually came to adopt the ideas of the republican party between the presidential elections of Buchanan and Lincoln, and in 1860 distinctly avowed his adhesion to that organization.

Without his knowledge he was nominated lieutenant governor by an independent convention of supporters of the war held in Madison in the fall of 1861, and was elected, Mr. Louis B. Harvey being elected governor at the same time. The death of Governor Harvey in April, 1862, cast upon Mr. Salomon the duties of the gubernatorial position. His comparative youth, and supposed unfamiliarity with political matters caused some apprehension to many of his own party, but these were allayed within a very short time after he assumed the chair. He remained governor until January 1, 1864, and it is certain that during his time the labors of that office were more arduous than ever before or since. The duties of carrying out within this state the war measures of the national government, of organizing the regiments furnished by the state during that time, and of the selection of officers, of overseeing their equipment and maintenance, which were afterward transferred to federal officers, devolved during that time chiefly upon the governor. His zeal was untiring, and his industry unceasing. For weeks in succession he was found in the executive office at Madison at all hours from eight in the morning until twelve at night; and no labor was deemed by him too arduous, no fatigue too great in order to ensure success in the great work which he took upon himself. His activity necessarily brought upon him the hostility of many of the opposite party, and especially of those individuals upon whom the war seemed to impose special hardships. The vigorous measures by which he promptly subdued the insurrection against the draft in Ozaukee and Washington counties were the occasion of much praise, and upon the other hand of the bitterest censure. He caused a number of persons who were arrested for participating in riotous proceedings to be brought to Madison, and there confined in camp for some weeks, until, partly by the intervention of writs of habeas corpus, and partly by the voluntary act of the governor under authority of the general government, they were discharged, the danger of resistance to the draft having then entirely passed away. Gov. Salomon's official acts are part of the history of the state, but among them may be named the calling of an extra session of the legislature in the year 1862, for the purpose of conferring the right upon the soldiers to take part in the elections, and for the purpose of empowering the municipalities of the state to raise money for the payment of bounties to volunteers. During his term of office nearly all the troops who saw active service in the field were sent from the state, and each regiment

and each company carried with them the evidences of the conscientious care and the earnest forethought of Governor Salomon. He visited the army during his term of office, and was a great favorite among the Wisconsin troops wherever he met them. He spared no pains to contribute to their welfare, and among the old veterans there will always exist the warmest remembrance of their great war governor, Edward Salomon.

At the breaking out of the war he was one of a few gentlemen who by reason of previous associations, of similarity of feeling, and of equality of years, formed a close companionship; Carl Schurz, Halbert E. Paine, Winfield Smith and Byron Paine were the other members of that circle. Their friendship so cemented has remained unbroken, save by the untimely death of Byron Paine, then one of the most able members of the supreme court of Wisconsin.

Governor Salomon was warmly urged by his friends to be a candidate for the nomination of governor in the fall of 1863, but declined persistently, until at the request of friends in the army, who made it a point of duty with him, he reluctantly consented, but so late in the campaign that James T. Lewis, then secretary of state, had become conspicuous as a candidate, and as Governor Salomon would make no efforts for his own success, he barely failed of the nomination in the convention. He was afterward warmly supported by many friends for the office of senator of the United States, to succeed Mr. Doolittle, but Mr. Carpenter, lately deceased, was elected at that time. Having received most flattering offers from friends in the City of New York he concluded to remove there, and has since that time been steadily engaged in the practice of his profession.

He is counsel for the German Empire, and among his clients are some of the best and wealthiest German business houses in New York. His departure from Wisconsin was felt to be a great loss to the people, and especially to the republican party. His strong character, his excellent sense, his singularly high and refined sentiments, the honorable course which he ever in all circumstances and amid any temptations steadily pursued, won for him many friends and great influence, and had he been willing to remain, Wisconsin would have laid her highest honors at his feet.

He was married in 1858 to an estimable lady of Belgian birth, who was prominently active during the war in rendering succor and assistance to our sick and wounded soldiers, and she graced the executive

mansion as well as she has his private house by her high qualities and accomplishments. They have no children.

JAMES T. LEWIS, Columbus, is a native of Clarendon, New York, was born on the 30th day of October 1819, and is the son of Shubael and Eleanor Robertson Lewis. His grandfather, Samuel Lewis, lived in Brimfield, Massachusetts. His father was a native of New England, and his mother was of Scotch descent. James T., the third son, after receiving a common school education, completed a course of English and classical study in Clarkson Academy and Clinton Seminary in New York, and in 1842 began the study of law with Governor Selden, of Clarkson. He afterward came to Wisconsin, and in 1845 was admitted to the bar of the United States district court, and subsequently to the supreme court of the state.

Declining the gift of an eligible law office offered him by influential friends if he would settle in Clinton, New York, he decided more wisely, came west and established himself in Columbus, his present home.

After settling at Columbus, he devoted his time to the active practice of the law from 1845 to 1855, and was for a time the only lawyer in Columbia county. He met at the bar some of the ablest practitioners of that day, notably among whom was Judge A. L. Collins, and before Mr. Lewis ceased practice, Mr. Collins had become judge of the circuit court. In his cases Mr. Lewis was remarkably successful, and, liking the profession, was reluctantly drawn into politics, and eventually away from his thrifty law business. Yet he can but be consoled with the result of a successful official career, honorable to himself and advantageous to the state.

At the age of twenty-six he was married to Miss Orlina M. Sturges, daughter of a prominent and successful merchant of Clarendon, New York, and by her has four children. Entering into politics in this state, Mr. Lewis rapidly rose to the successive position of district attorney, county judge, member of the constitutional convention which formed the organic law of the state, member of the general assembly, state senator, member of the court of impeachment in the case of Judge Levi Hubbell, lieutenant-governor, secretary of state, and governor. As secretary of state it was truly said of him, that "he has been prompt, methodical and systematic in all the departments of his office; a true man in every

sense of the word, kind and gentlemanly in his deportment and possessing great executive ability." When elected to this office he received every vote cast in the city of his residence, and when elected governor in 1863, received a majority of twenty-five thousand, by far the largest majority ever accorded any candidate up to that time for that office.

The nation at this time being engaged in civil war, Governor Lewis felt that for the time political divisions should cease; that all loyal men, forgetting party strifes, should rally around our country's flag and save it from dishonor; that rebellion should be crushed by hearty coöperation and earnest sacrifice, and that peace should be restored. Sincerely impressed with this belief, he severed party ties and proclaimed, "he who is not a faithful friend to the government of his country in this trying hour, is no friend of mine," and spared neither time, talent nor money in sending troops to save the national capitol. Especially was his attention engaged in caring for the needs of the sick. He repeatedly visited camps and hospitals, making long and careful tours, and finally secured a special order from the surgeon-general of the United States, for the transfer of all the sick and wounded soldiers from Wisconsin to hospitals within their own state, a privilege never before granted.

Under his administration hospitals were established, a soldiers' orphans' home was founded, and families of soldiers provided for. It is but justice to add that the administration of Gov. Lewis occurring during the height of the war added greatly to the difficulties and responsibilities of the office. It is a matter of history that he left it with a clean record and the credit of having administered its requirements ably, faithfully and concisely.

In 1865, against the wishes of his state, he declined a renomination, preferring the retirement of private life to public honors and emoluments. Finding him firm in his determination, the union nominating convention expressed in resolutions their regret at his decision, their cordial approbation of his administration, and their gratitude for his zeal, fidelity and generous work in behalf of others.

In 1864 Lawrence University conferred on him the degree of LL.D., an honor which was justly bestowed and has been worthily worn.

That Gov. Lewis takes a lively interest in the promotion of education is, in a measure, demonstrated in bestowing a prize upon the state

university student furnishing the best commencement piece. It consists of an invested fund the income from which is thus annually applied and now yields twenty dollars. The first distribution was in 1875.

At the close of his term as governor, he visited Washington, at which time President Lincoln, learning that the governor was going to Europe, asked him if he would select and take a foreign mission, which he declined, preferring to travel at his leisure. After his return from Europe, Pres. Grant tendered him the office of commissioner of internal revenue, which the governor likewise declined, preferring to devote his attention to his growing family and his private business. Although continuing to take an interest in political affairs he secluded himself from active participation in party movements until 1875, when he became a delegate to the republican state convention of that year, and was made its presiding officer. He was also a delegate to the republican national convention of 1876 that nominated Rutherford B. Hayes for President.

In the warm contest at the session of the legislature of 1875, for the United States senatorship, the name of Gov. Lewis, without his knowledge, was presented by the republican "bolters" as one of the three from whom one was to be selected by the democrats, and voted for by the combination opposed to the reelection of senator Carpenter, resulting in the selection and election of Angus Cameron.

Ex-Gov. Lewis now lives in quiet and elegant retirement in the pleasant city of Columbus, with an ample competence, and enjoying the esteem of all who know him.

LUCIUS FAIRCHILD, Madison, is the son of Jairus C. Fairchild, and was born in the town of Kent, Portage county, Ohio, December 27, 1830. He received a common school education, and subsequently was admitted to the bar, but his early entrance and long continuance in public life have prevented his practicing it. He came to Wisconsin in 1846 with his parents, who settled at Madison. He was clerk of county court for Dane county in 1859 and 1860. In the spring of 1861, after the surrender of Fort Sumter, Mr. Fairchild promptly enlisted at Madison, in the Governor's Guard, which was the first company in Wisconsin to tender its services to the government under the President's call for three-months men, and he was elected captain.

In August, 1861, President Lincoln appointed Fairchild captain in

and 1873. He is president of the board of regents of the University of Wisconsin, and also president of the State Historical Society.

With great business capacity he has become very wealthy. During his term as governor he removed his residence to Madison, making purchase of a fine estate and mansion near the city. This he has since donated for educational purposes. He has also built and equipped for the use of the State University, one of the largest and finest observatories in the country, which is known as the Washburn observatory. No man in the state is more highly esteemed than is General Washburn, and is the soul of probity and honor. He died in May, 1882, since the above sketch was written.

LIEUTENANT GOVERNORS.

SAMUEL W. BEALL, Montana, was born in Montgomery, Prince George county, Maryland, in 1807; was educated at Union College, New York; read law at Litchfield, Connecticut; was admitted to the bar at Green Bay in 1829; was appointed receiver of public moneys at Green Bay in 1834; removed to Tychorca in 1841, and to Taycheedah in 1847; was Indian agent with the Stockbridge and other tribes; was a member of both constitutional conventions; was elected lieutenant-governor in 1850; went to Denver to reside in 1859; returned to Wisconsin in 1861; was appointed lieutenant-colonel of the Eighteenth Wisconsin regiment in 1861; was badly wounded at Shiloh; after the close of the war he went to Helena, Montana Territory, where he was shot in an altercation and lost his life.

ARTHUR MACARTHUR, Washington, D. C., was born in Glasgow, Scotland, January 26, 1815, and came to this country when a child with his parents. His father and mother were both MacArthurs, and came from the vicinity of Loch Katrine in the western highlands—so celebrated in Sir Walter Scott's *Lady of the Lake*.

He was educated at Uxbridge and Amherst Academies, Massachusetts, and the Wesleyan University, Connecticut. He studied law in the city of New York, and was admitted to the bar in 1841, when Samuel Nelson was chief justice of the supreme court, and Reuben H. Walworth the chancellor. He commenced practice in Springfield, Massachusetts, and in 1843 was appointed public administrator of the county of Hampden, and judge advocate for the western division of the militia.

Having a turn for public speaking he was frequently called upon to address public meetings and to deliver lectures before literary societies. In 1845 he returned to the city of New York to practice his profession, where he remained until 1849, when he removed to Milwaukee, Wisconsin. Here he was successful in the way of business, and in 1851 was elected city attorney of that city, in which office he served one term.

In 1855, at the general election, he was elected lieutenant governor of the state, and served a part of his term as governor, during a vacancy created by the resignation of Governor Barstow.

In 1857 he was elected judge of the second judicial circuit, composed of the counties of Milwaukee and Waukesha. Judge Hubbell's resignation had created a vacancy, and the election was to fill it, as also for the term succeeding it. He was reëlected in 1863, to the same position the second time. He was appointed a commissioner on the part of the United States, to the universal exhibition held at Paris in 1867.

He resigned the office of circuit judge in the fall of 1869, after a judicial service of thirteen years. The business of the circuit court in Milwaukee, for several years after his accession to the bench, was notable for its magnitude and variety, and for the application of legal principles in the more important cases. This was owing in great part to the condition of property and the effect upon individuals by the pressure of the times. On his retirement, the bar of Milwaukee manifested their kindly sympathy and feeling, by presenting him, at a meeting called for that purpose, with a complete set of United States Annual Digest, Mr. Lynde making the address of presentation.

In 1870 he was appointed associate justice of the supreme court of the District of Columbia, which position he still occupies. He has published three volumes of reports, containing the decisions of the court, and is also the author of a work now nearly ready for publication, on the subject of industrial education.

In addition to these labors he is much engaged in the benevolent and social enterprises of the capital. He is president of the Society for the Prevention of Cruelty to Animals and Children, and occupies the same position in his district of the associated charities. He is also most earnestly engaged in building up the national university at Washington. He is president of the board of regents, and the design is to foster at the capital of the nation a great educational institution, which will organize the highest culture of the country in the cause of American scholarship.

He married young, and is now living with his third wife, the widow of B. F. Hopkins, formerly of Madison. He has two sons living, and is perhaps younger in his feelings than either of them. His health is unimpaired, and he is about as young an old man as any one of his years.

Judge MacArthur is exceedingly well preserved for a gentleman of sixty-seven years, and is beyond question the handsomest and youngest looking man of his age in Washington. With social qualities of the highest order, he is full of wit, anecdote, poetry, reminiscence, cheerfulness, good cheer; is a good diner out, and a brilliant table companion. Literary pursuits are congenial to his tastes, and he writes for newspapers and magazines copiously. He burns the midnight oil.

Among his contributions to the press are four volumes of district court reports, which is solely a labor of love. He is president of the board of regents of the National University, devotes much time to the promotion of the interests of benevolent institutions, and is foremost in all affairs that are designed to benefit the community in which he lives, moves, and has his being.

WYMAN SPOONER, Elkhorn, was born at Hardwick, Worcester county, Massachusetts, July 2, 1795. His father was a farmer, and he lived at home, attending school winters, until he was fourteen years of age. He then went to Vermont and became an apprentice in a printing office. When about twenty-one he commenced the publication of a weekly newspaper, which he continued about twelve years. He then began the study of law, and was admitted to its practice in 1833. From his long continuance in, and his associations with, Vermont, he claims, without repudiating the paternity of his native state, to be a Green Mountain boy. In 1842 he removed to Wisconsin, and in 1843 he settled in Elkhorn, Walworth county, where he ever after resided. In 1846 he was elected judge of probate, which office he held until the probate was merged into the county court.

In 1853 he was appointed circuit judge, which position he held until the election of Judge Doolittle. He was elected to the assembly in 1850, 1851, 1857 and 1861. In 1857 he was elected speaker of the assembly. He was elected state senator for the term comprising 1862-3. In the last session he was chosen president of the senate, and became lieutenant-governor, when Mr. Solomon succeeded to the executive chair. In 1863, 1865 and 1867 he was elected lieutenant-governor,

and by virtue of his office presided over the senate six consecutive years. He was a member of the first board of trustees for the deaf and dumb, at Delaware. Judge Spooner was a man of constant diligence and energy. He died at Elkhorn at an advanced age.

JAMES M. BINGHAM, Chippewa Falls, was a native of Wyoming county, New York, and was born at Perry, February 3, 1828. His father being a farmer, James spent the greater portion of his early life in the capacity of a farm laborer, with such intermission as his attendance at the common in connection with an academy school necessitated. When he had reached his twentieth year he engaged in the occupation of teaching, pursuing at the same time studies in Latin, Greek, French and mathematics, corresponding with the course adopted in college. In this employment he continued some twelve years at the East, when in 1853 he came to the West and resumed the same occupation near Detroit.

Choosing law for a profession, he commenced its study in the office of F. P. Bissel, at Leroy, New York, and continued the same for two years, and after his removal to Wisconsin continued the study two years longer at Palmyra.

Having thus prepared himself for entering the ranks of the profession, he was admitted to the bar in 1856, and commenced practice at Palmyra, where he remained until he removed to Chippewa Falls in 1870. At the latter place he entered into partnership with J. J. Jenkins, and the firm of Bingham & Jenkins continued until 1876, when Judge Jenkins having accepted the appointment of United States attorney for the territory of Wyoming, H. H. Pierce became his partner and the firm is now Bingham & Pierce. The legal business of this well known firm consists chiefly in first class cases.

In the year 1864 Mr. Bingham obeyed the call of his country and enlisted as major of the Fortieth Infantry and went to the war.

He has also done good service to the state as a member of the general assembly of Wisconsin. He represented his district during five sessions of the legislature, during the years 1863, 1864, 1870, 1871 and 1874. He has served as a member of the judiciary committee during each of these years, and was once its chairman. For the session of 1870 he was speaker of the house, which position he occupied with much credit.

In politics he is closely identified with the republican party. He is a member of the Masonic fraternity, and is now high priest of the chapter at Chippewa Falls, and has served in that capacity several years.

At the state election of 1877 Major Bingham was chosen lieutenant-governor, after having been nominated against his expressed wishes, and was reelected to the same office in 1879, and presides over the deliberations of the senate with dignity, impartiality and ability.

UNITED STATES SENATORS.

ISAAC P. WALKER, Milwaukee, was a native of Virginia, and was born in the year 1813. The early part of his life was passed in Illinois. In 1841 he emigrated to Wisconsin, and began the active practice of his profession of the law. It was not long before he was called to fill positions of marked political distinction. He was a member of the territorial legislature in 1847 and 1848. In the latter year, when the state was admitted into the Union, he — in company with General Henry Dodge — was sent to the United States senate, for the short term, which expired the next year; but he was reelected, and served till the year 1855, when he was succeeded by Charles Durkee.

He died quite suddenly, of a stroke of apoplexy, on the evening of March 29, 1872, in the city of Milwaukee. He bore the reputation of having been a brilliant and impressive public speaker, and a man of superior presence, and most attractive personal endowments.

CHARLES DURKEE, Kenosha, was born at Royalton, Vermont, December 10, 1805. A few months of schooling in the winter season, and a term or two at an academy, was all the education he ever received.

Farming first attracted his attention; and, after a few years, with the little gains he had made, he embarked in mercantile pursuits.

In May, 1836, Mr. Durkee left New England, and made the long and tedious journey to Wisconsin, and located at Kenosha.

He took an active interest in promoting the growth of the then rising village, erecting a number of fine buildings himself, and being an extensive land owner, contributing largely by exchanging lands at cheap rates for labor and material in the erection of stores and dwellings.

In the meantime he had served the people of Wisconsin territory, then including Iowa, as member of the legislature on several occasions.

After the organization of Wisconsin as a state, in 1849, Mr. Durkee

was elected a member of congress from the first congressional district, and again reëlected in 1851 for a second term. In 1850 he was chosen by the friends of the measure, a delegate to the world's peace convention, held at Paris, and on his way home attended the great national fair, held at London, the first ever inaugurated in the interest of mankind.

In February, 1855, Mr. Durkee was elected for a full term of six years to the United States senate. After the expiration of this term, he retired for three or four years to the beautiful residence he had erected on the lake shore, in the southern portion of the village of Kenosha. At this period he began to feel the strain occasioned by severe brain work in the various public offices he had held. His physicians recommended a change of climate. About this time J. D. Doty, governor of Utah, having died, President Johnson, without any solicitation on the part of Mr. Durkee, appointed him as Governor Doty's successor. This office he held up to the time of his death, which occurred January 14, 1870.

Mr. Durkee was a man hardly of medium height, rather thick-set, of broad depth of brain, black hair, dark-grey eyes, and a countenance beaming with thoughts of benevolence and kindness.

JAMES R. DOOLITTLE, Racine, was born in Hampton, New York, January 3, 1815, was a graduate of Geneva College, New York, afterward studied law, was admitted to the bar by the supreme court of New York in 1837, entered upon its practice in that state, and was several years district attorney of the county of Wyoming. In 1851 he came to Wisconsin and settled at Racine in the practice of his profession, was elected judge of the first judicial circuit in 1853, which office he resigned in 1856. In 1857 he was elected United States senator for a full term, in which body he served on the committee on foreign affairs, commerce, military affairs, and was chairman of the committee on Indian affairs. He was a member of the peace congress of 1861, was reëlected to the senate in 1863, his term ending in 1869. During the summer recess of 1865, as a member of a special committee of the senate he visited the Indian tribes west of the Mississippi. He was a delegate to the national union convention held at Philadelphia in 1866, was its president, and took an active part in its proceedings. At the close of his career in the senate of the United States, Judge Doolittle resumed the practice of the law in Chicago, where he continues it to the present

time, while continuing his residence at Racine. During the war Judge Doolittle did much in sustaining the government by acts and addresses; since the close of that contest has been a prominent and active member of the democratic party, and in 1871 was its candidate for governor, but his party was too largely in the minority to effect his election.

TIMOTHY O. HOWE, Green Bay, was born in Oxford county, Maine, February 24, 1816. At the age of twelve he took large interest in politics, being fully persuaded that the salvation of the nation depended on the election of John Quincy Adams to the presidency. He used to debate the point sharply with his neighbors, whose political knowledge was as profound as his own.

At sixteen he had fully determined on a professional course, and spent two seasons at grammar school. At eighteen he went to the Maine Wesleyan Seminary, and at twenty was prepared to enter college. His father at this time decided against a college course, and the young man at once commenced his law studies in the office of Samuel P. Benson, of Winthrop, and subsequently with Judge Robinson, of Ellsworth. At twenty-three he moved to Readfield and commenced law practice side by side with Lot. M. Morrill, afterward his compeer in the United States senate.

In 1841, at the ripe age of twenty-five, he was married to Miss L. A. Haynes, a true down-east girl then, and a most estimable and agreeable woman through all her subsequent career in life.

In 1842 Mr. Howe expressed a willingness to take the office of clerk of the court in his county, with the three thousand dollar emoluments attached. It happened that one Mr. Kingsbury, an older resident, was of the same mind also, and obtained the nomination against him in the convention, but not the coveted office at election. The year following Mr. Howe received the nomination squarely against his former rival, and on election day carried the towns on the west side of the county by the largest whig majority ever cast, but the Kingsbury defection in the eastern towns lost him the election. So as his subsequent career turned out this defeat was the very best providence that could have happened to him. The next fall his friends of the west towns showed him their regard by electing him to the state legislature, where he took a prominent part as a debater beside of the late William Pitt Fessenden, the recognized leader of the house.

At this period his health failed him and his father and friends advised him to try Mr. Greeley's panacea for young men and go west. Accordingly he set sail in the fall of 1845 and landed at the harbor of Green Bay on the 6th of October. He stopped here because he had seen one man from the Bay the previous summer, and he did not know anybody else in the western country. He came with no fixed notion of staying, but the charming weather of that fall worked favorably to his health, attached him to the place and he remained there.

Green Bay at that time, though the oldest town in the state, gave little hope or signs of promise; there was no industry exhibited, no enterprise, no business, except the small fur trade with the Indians. The people were bankrupt and the country desolate. Notwithstanding these discouraging signs Mr. Howe opened a law office, his whole possessions consisting of a few law books, a little furniture, and the unpurchasable stores of his brain, and these last have since stood him well in hand. Mr. Howe was soon favorably heard of in all parts of the territory, and upon its admission as a state in the Union in 1848 he received, much to his surprise, the whig nomination for congress. There was no show for any whig candidate in those days. In 1850 he was elected circuit judge, his district taking in Fond du Lac, Sheboygan and all the country north. At that time circuit judges served also as judges of the supreme court. In 1855 he resigned his judgeship for the simple reason that he couldn't afford to give his time and labors to the state and bear all his expenses out of a fifteen hundred dollar salary.

While on the bench he took no active part in politics further than to write a letter expressing his approbation of the organization of the republican party at Madison in 1854. After his resignation he entered into the fall campaign of 1855, strongly supporting Mr. Bashford, the republican candidate for governor, against Mr. Barstow. In the winter following, Mr. Howe took part in that most extraordinary trial which resulted in ousting William A. Barstow from the office of governor, and putting Coles Bashford in his place. Judge Howe was associated in this case with E. G. Ryan, J. H. Knowlton and Alexander W. Randall, on the side of Mr. Bashford. Johnathan E. Arnold, Harlow S. Orton and Matt. H. Carpenter were enlisted for Mr. Barstow. These were all eminent practitioners of that day. Judge Howe made the closing argument for the Bashford side of the case. During the early part of the trial, Mr. Ryan switched off from the case, and his place was

assigned to Mr. Howe. Mr. Ryan was in political sympathy with Mr. Barstow, but he knew that the canvass of the gubernatorial votes was a fraud.

The canvass for the office of United States senator, in place of Henry Dodge, opened with the meeting of the legislature in 1857. Mr. Howe appeared to be the leading candidate at first, but James R. Doolittle was finally chosen after a protracted contest. The next senatorial election was held in the winter of 1861. Mr. Howe had not much confidence in his nomination, but he was nominated and elected by the republicans of the legislature.

The election of Mr. Howe to the United States senate at this time, was a just tribute to noble fidelity and stout-hearted independence, while the secession movements then going on at the South furnished practical information of the iniquity and folly of the ultra state-rights doctrines he had opposed. Never was fidelity more justly honored in our state, never was political wisdom more truly vindicated.

Mr. Howe's course in the senate needs no setting forth in this sketch. He went to the capitol at the most critical history of our government, when secession clouds filled the whole heavens. Amid the distraction of opinion, Mr. Howe made his first speech. He told the Southern gentlemen that whether the President's message meant peace or war, depended upon themselves, upon the course they should pursue. These were just the words needed to be said, and had marked effect. All through, during the progress of the war, Judge Howe was strongly on the side of the administration and its measures for the vigorous prosecution of the war. He favored legal-tender issues, and made a speech on the subject. And so, on all the great questions of states-rights, finance and reconstruction after the war, has the political wisdom of the great senator been made manifest.

Judge Howe was on the committee on finance, his first term in the senate, and was eight years chairman of the committee on claims. In the winter of 1867 Judge Howe was reelected to the United States senate, and again in 1873, both times without opposition. In 1875 Senator Howe was appointed, by President Grant, one of the commissioners to treat with the Indians, relative to the purchase of the Black Hills territory.

During the last term of President Grant, a vacancy happening in the bench of the United States supreme court, Senator Howe was tendered

the appointment. The office was the height of his ambition, but a higher sense of honor forbade the acceptance; the opposition was in power in his state, and if he should make a vacancy in the senatorship, it would be filled by a democrat. This act of self-denial and loyalty to the party who had confided in him, was, in the highest sense, commendable.

Upon the accession of Hayes to the presidency, Senator Howe was one of those in congress who disapproved of the new President's southern policy, and was outspoken against it, continuing, notwithstanding, on good terms with the administration. At the close of his last term in the senate Judge Howe was a candidate for renomination, and failed of receiving it solely on account of advanced age, and that public sentiment was against long continuance in office, while younger men desired to share the honors of the high position.

Senator Howe's senatorial career having terminated simultaneously with the inauguration of President Garfield, his name was mentioned in connection with a cabinet appointment, but his claims were not pressed, and he subsequently was appointed, by the President, commissioner to the international money conference, held in Paris in the summer of 1881. He accordingly crossed the ocean in company with the other members of the commission. At the sessions of this body Judge Howe took a prominent part. Before the final closing of the conference he was called home to his sick wife, who soon after died at Washington, in July 1881.

Judge Howe was always a conspicuous member of the senate, and of the republican party. In congress he was a statesman more than a partizan. No man has come out of congressional life with a clearer record; no senator ever had a more universal approval by his constituents of his course in the body of which he was for so long a period of years a member. Judge Howe was appointed by President Arthur postmaster-general, and entered upon the duties January 5, 1882.

Judge Howe is a good public speaker, of a logical turn of mind, and on suitable occasions is capable of gratifying an audience with a rich vein of humor inimitably expressed. Although having seen many years of public service of high responsibilities, he is now, when nearly at the allotted age of man, as vigorous as in more youthful years.

Tall and commanding in personal appearance, modest and retiring almost to a fault, true to his friends, just to all, no citizen of this state is

the recipient of more genuine respect and hearty esteem than Timothy O. Howe. We have here given but a bare skeleton of our quaint senator, devoid of the flesh and blood that make up the private and social life of the man. But nothing more needs to be said. His conduct in office and his standing before the country, more than any words that can be framed, attest his public and private worth.

MATHEW H. CARPENTER, Milwaukee. On the 22d of December, 1824, at Moretown, Washington county, Vermont, a son was born to the wife of an eminent lawyer and citizen of prominence, and the parents, as if the spirit of prophesy were upon them, named the child after the great English jurist, Mathew Hale Carpenter. When the boy had reached the age of eleven years his mother died, and Paul Dillingham, afterward governor of the state, having charged himself with his education, Mathew became a member of his family at Waterbury.

In 1843 John Mattocks, being then the representative to congress from that district, procured for young Carpenter an appointment as cadet in the military academy at West Point. It opens a curious field for speculation to reflect what might have been his career if he had persevered in the profession thus chosen for him. He was a classmate in the academy of General Fitz John Porter and others who attained prominence in the war of the rebellion, and it is not inconceivable that he might have proved to have the making of a great captain in him; but it is not altogether easy to think of him as leading a fierce onset at Chickamauga or storming an angle of the entrenchments in the wilderness. At all events the possibility of that spectacle was denied us by a weakness of the eyes, which made it necessary for him to resign his cadetship at the expiration of his second year.

Returning to Waterbury in the summer of 1845, he entered upon the study of the law in the office of Mr. Dillingham, and two years later was admitted to the bar at Montpelier. Soon after he removed to Boston and finished his studies in the office of Rufus Choate. It is known that he enjoyed in a peculiar degree the intimacy of Mr. Choate, and the formative influence of that incomparable lawyer upon his admiring disciple is by no means difficult to discern.

In the spring of 1848 Mr. Carpenter was admitted to practice by the supreme judicial court of Massachusetts, and the same year removed to Beloit, Wisconsin, where he opened an office. He was almost wholly

destitute of means, and the beginning of his professional career was further embarrassed by a recurrence of the disease of his eyes, which became so serious as to make it necessary for him to go to New York for treatment. For over a year he was almost wholly blind.

In 1852 Mr. Carpenter was the candidate for district attorney of Rock county. The election was contested, and the case was taken to the supreme court, where it was decided in his favor. The case is a leading one in the reports, and Mr. Carpenter himself had occasion to cite it when he was arguing the cause of the state *Bashford* against *Barstow*. The appearance of Mr. Carpenter in this important cause, involving no less a question than the possession of the governorship of the state, is an evidence of the standing that he had attained when he had barely closed the third decade of his life. He was associated with eminent counsel, but it seems to have been left to him to project, and mainly deferred the principle upon which Governor *Barstow* resisted the writ of *quo warranto* filed in behalf of the contestant *Bashford*. His position was that the three branches of the state government are coördinate, and that it is not competent for the supreme court to pass upon the lawfulness of the incumbency of the executive office. The decision of the court was adverse, but Mr. Carpenter's argument will none the less impress the professional reader as ingenious and powerful.

Mr. Carpenter removed to Milwaukee in 1856. He was for a number of years engaged in the intricate and embarrassing litigation arising out of the construction and consolidation of certain railroads in Wisconsin, and maintained the rights of his clients with great ability and persistency. His practice was now large, and as lucrative as his rather easy financial habits could make it; and his fame was rapidly extending. When a case arose that involved the determination, by the supreme court of the United States, of the constitutionality of the reconstruction acts, Secretary *Stanton* retained him as one of the counsel for the government. His argument won for him general recognition as one of the foremost constitutional lawyers of his time, and it is scarcely extravagant to say that the civil governments existing to-day in eleven states of the Union rest upon the principle enunciated and supported by him on that occasion.

In 1876, for the first time, happily, in the history of the republic, a cabinet minister, in the person of W. W. Belknap, secretary of war, was impeached before the senate of the United States for high crimes and

misdemeanors in office. The respondent retained for his defense Jeremiah S. Black, ex-attorney general; Montgomery M. Blair, ex-postmaster general, and Mr. Carpenter. There could have been no higher compliment to Mr. Carpenter than the fact that his associates who had stood for years in the very front rank of the American bar, resigned to him the entire management of the case, which he conducted to a successful issue.

The trial of the title to the presidency of the United States before the electoral commission, erected for the purpose by special act of congress, was another occasion that enlisted the best professional talent in the Union. Mr. Carpenter was retained by Mr. Tilden to submit an argument in favor of counting the votes of the democratic candidates for electors in Louisiana, and he performed the duty with the ability that he has never failed to bring to bear upon questions of this important and delicate character.

We have thus sketched imperfectly some of the most conspicuous appearances of Mr. Carpenter in the character of a lawyer strictly. They by no means fairly represent the character or extent of his professional labors. From 1870 to his decease, though maintaining a residence at Milwaukee, he kept an office at Washington, and practiced mainly before the supreme court of the United States; and his services were retained in very many of the most important cases that have been heard before that tribunal.

Mr. Carpenter had been a democrat from the time that he attained his majority, and, in the election of 1860, supported Douglas for the presidency. Upon the attempt of the South to destroy the Union, without formally dissociating himself from that party, he gave his support to the war policy of the administration, and delivered a series of addresses in that behalf that were characterized by great eloquence and patriotic fervor. Subsequently he publicly affiliated with the republican party, and in 1869 was chosen to succeed James R. Doolittle in the senate of the United States.

It is not proposed to dwell upon his political career. It should be mentioned, however, that he was the author of the acts reconstructing in some respects the federal courts, and enlarging their jurisdiction to the limits prescribed by the Constitution. He was twice chosen president pro tempore of the senate, and presided over that body during several sessions, in discharging which duty he exhibited thorough learning and aptitude as a parliamentary lawyer.

At the expiration of his term, Mr. Carpenter was nominated by the caucus of republican members of the legislature for reëlection, but was defeated by a combination of certain republican members with the democrats. In 1879 he was chosen to succeed Timothy O. Howe in the United States senate, and took his seat again in that body after an interval of four years. It may be worthy of remark, in this connection, that his celebrated "Janesville speech" was the great cause of his defeat in 1875; yet he considered that the best speech he ever made, and carefully preserved a printed copy of it.

His return to Washington after his reëlection to the senate was signalized by a popular demonstration that illustrated forcibly the enthusiastic feeling, for which admiration is a cold term, in which he was held among those who had come to know him even by casual contact.

His most conspicuous effort during his second senatorial term was, perhaps, his argument in the case of General FitzJohn Porter. Senator Logan, in a long and laborious speech, had reviewed the facts. Mr. Carpenter confined himself to the questions of law. With the impregnable logic and irresistible aptness of illustration that characterized him in dealing with legal issues, he combated the pending bill. The result was notable. The friends of the bill had a clear majority when the debate opened. After Senator Carpenter's argument they put forward their two ablest champions to reply. Both failed, and they did not deem it expedient to press the measure to a vote. The instances are rare in the history of legislation where a measure having the undivided support in its inception of the members of the majority party reinforced by some members of the minority has been thus balked by a single speech.

In June, 1880, Senator Carpenter attended the republican national convention at Chicago, though not as a delegate, and addressed an open-air mass meeting that was called to promote the nomination of General Grant. But his health was greatly impaired, and he was not able to remain in Chicago to the close of the convention. In the campaign that followed his condition made it impossible for him to participate. When congress assembled in December, he was in his seat; but his attendance was irregular, and it was evident that the inexorable disease from which he was suffering was advancing rapidly to its dread consummation. The final scene was sketched with great power and

pathos by Honorable Arthur MacArthur, in an address before the Wisconsin association at Washington.

His death occurred on the 24th day of February, 1881. The grief that it inspired knew no boundaries in geography or partisanship, and the rush of events incident to the approaching incoming of a new national administration could not benumb the deep sense of bereavement that reached the remotest confines of the republic. At the next meeting of the judiciary committee of the senate of the United States, the following resolution was adopted :

"During a period of nearly eight years' service on this committee, Senator Carpenter's great intellectual ability, profound legal learning, and remarkable industry, commanded the admiration of all who served with him, while his uniformly courteous, kind and agreeable manners won and retained their affection."

The bar of the supreme court of the United States assembled on the 8th of March. Allan G. Thurman was chosen to preside, and in taking the chair, delivered an address of high, if discriminating, eulogy, in the course of which he used this language, which could be justified on few occasions of like character: "I am well aware of the proneness to extravagance that has too often characterized eulogies of the dead, whether delivered from the pulpit, in the forum, or in the senate-house. But I feel a strong conviction that, however exalted may be the praise spoken here to-day, it will not transcend the merits of its object, or offend the taste of the most scrupulous and truth-loving critic.

Mr. Carpenter's whole career was honorable and brilliant. He was the architect of his own fortune and fame. He possessed the advantages of inherited poverty, and was thus in his youth thrown upon his own resources. He learned early the useful lesson of self-reliance, and the necessity of industrious self-exertion, receiving only such aid as his genial manners and bright and active mind gained from those generous friends who perceived in his youth the germs which promised future distinction, and who were willing to extend a helping hand to struggling genius. He was a close student, and loved books.

Mr. Carpenter possessed a fine person, was social, pleasant and winning in his manners. As a speaker he was fluent, logical and eloquent, and possessed in a high degree the charm of manner and magnetic power over his hearers, which are essential elements of popular oratory. He delighted and captivated popular audiences; but his oratory was not

of the flowery and superficial kind. He was a man of learning and of thought. He not only pleased by his style and manner, but his reasoning convinced his hearers. His independence of thought and character sometimes led him to advocate that side of questions which was unpopular with the people or with his party; and he was fearless in supporting any cause which he undertook to advocate. He defended credit mobilier and back pay. He acted as one of the leading counsel for general Belknap on his impeachment and trial before the United States senate; and he appeared as one of the leading counsel for Mr. Tilden in the great contest for the presidential office before the electoral commission. His nature was genial, kindly and generous; he had no malice in his composition; and he did not excel in that lowest order of intellectual ability which impels its possessor to the use of invective and vituperation. The taste for such displays of his intellectual power was wholly foreign to his nature, and perhaps fortunately beyond his ability. But in his whole public career, in the courts, in the senate, and in the popular discussion of political questions, he was animated in a large degree with a spirit of chivalry, tempered by the elevating culture of "modern civilization, which throws a halo of honor and fame around the physical warfare of those knights of the middle ages who became famous for their prowess in battle and for their generous forbearance in the hour of victory."

The remarks of Mr. Jeremiah S. Black are given in full, not only on account of the standing of the speaker at the bar, but because of his peculiar intimacy with Mr. Carpenter and his sympathetic and accurate knowledge of his ability and character:

"The American bar has not often suffered so great a misfortune as the death of Mr. Carpenter. He was cut off when he was rising as rapidly as at any previous period. In the noontide of his labors the night came wherein no man can work. To what height his career might have reached if he had lived and kept his health another score of years, can now be only a speculative question. But when we think of his great wisdom and his wonderful skill in the forensic use of it, together with his other qualities of mind and heart, we cannot doubt that in his left hand would have been uncounted riches and abundant honor, if only length of days had been given to his right. As it was, he distanced his contemporaries and became the peer of the greatest among those who had started long before him.

The intellectual character of no professional man is harder to analyze than his. He was gifted with an eloquence peculiar to himself. It consisted of free and fearless thought wreaked upon expression powerful and perfect. It was not fine rhetoric, for he seldom resorted to poetic illustration; nor did he make a parade of clenching his facts. He often warmed with feeling, but no bursts of passion deformed the symmetry of his argument. The flow of his speech was steady and strong as the current of a great river. Every sentence was perfect; every word was fitly spoken; each apple of gold was set in its picture of silver. This singular faculty of saying everything just as it ought to be said was not displayed only in the senate and in the courts; everywhere, in public and private, on his legs, in his chair, and even lying on his bed, he always "talked like a book."

I have sometimes wondered how he got this curious felicity of diction. He knew no language but his mother-tongue. The Latin and Greek which he learned in boyhood faded entirely out of his memory before he became a full-grown man. At West Point he was taught French and spoke it fluently; in a few years afterward he forgot every word of it. But perhaps it was not lost; a language, for any kind of literature, though forgotten, enriches the mind as a crop of clover ploughed down fertilizes the soil.

His youth and early manhood was full of the severest trials. After leaving the military academy he studied law in Vermont, and was admitted, but conscientiously refused to practice without further preparation. He went to Boston, where he was most generously taken into the office of Mr. Choate. He soon won not only the good opinion of that very great man, but his unqualified admiration and unbounded confidence. With the beneficence of an elder brother, Choate paid his way through the years of his toilsome study, and afterward supplied him with the means of starting in the west. The bright prospect which opened before him in Wisconsin was suddenly overshadowed by an appalling calamity. His eyes gave way, and trusting to the treatment of a quack, his sight was wholly extinguished. For three years he was stone-blind, "the world by one sense quite shut out." Totally disabled and compassed round with impenetrable darkness, he lost everything except his courage, his hope, and the never-failing friendship of his illustrious preceptor. Supported by these he was taken to an infirmary at New York, where, after a long time, his vision was restored. Subsequent to these events,

and still under the auspices of Mr. Choate, he returned to Wisconsin and fairly began his professional life.

It would be interesting to know what effect upon his mental character was produced by his blindness. I believe it elevated, refined and strengthened all his faculties. Before that time much reading had made him a very full man; when reading became impossible, reflection digested his knowledge into practical wisdom. He perfectly arranged his store-house of facts and cases, and pondered intently upon the first principles of jurisprudence. Thinking with all his might, and always thinking in English, he forgot his French, and acquired that surprising vigor and accuracy of English expression which compel us to admit that if he was not a classical scholar, he was himself a classic of most original type.

He was not merely a brilliant advocate, learned in the law, and deeply skilled in its dialectics; in the less showy walks of the profession he was uncommonly powerful. Whether drudging at the business of his office as a common-law attorney and equity pleader, or shining as leader in a great *nisi prius* cause, he was equally admirable, ever ready and perfectly suited to the place he was filling. This capacity for work of all kinds was the remarkable part of his character. With his hands full of a most multifarious practice he met political duties of great magnitude. As a senator and party leader he had burdens and responsibilities under which, without more, a strong man might have sunk. But this man's shoulders seemed to feel no weight that was even inconvenient. If Lord Brougham did half as much labor in quantity and variety, he deserved all the admiration he won for versatility and patience.

Mr. Carpenter's notions of professional ethics were pure and high toned. He never acted upon motives of lucre or malice. He would take what might be called a bad case, because he thought that every man should have a fair trial; but he would use no falsehood to gain it; he was true to the court as well as to the client. He was the least mercenary of all lawyers; a large proportion of his business was done for nothing.

Outside of his family he seldom spoke of his religious opinions. He was not accustomed to give in his experience—never at all to me. He firmly believed in the morality of the New Testament, and in no other system. If you ask whether he practiced it perfectly, I ask in return: Who has? Certainly not you or I. •He was a gentle censor of our faults:

let us not be rigid with his. One thing is certain, his faith in his own future was strong enough to meet death as calmly as he would expect the visit of a friend. Upwards of a year since his physicians told him that he would certainly die in a few months; and he knew they were right; but with that inevitable doom coming visibly nearer every day, he went about his business with a spirit as cheerful as if he had a long lease of life before him.

I think for certain reasons that my personal loss is greater than the rest of you have suffered. But that is a "fee grief due to my particular breast." It is enough to say for myself, that I did love the man in his life-time, and do honor his memory, now that he is dead."

Two of the speakers referred in felicitous terms to the occasion in 1876 when Mr. Carpenter presided over the meeting of the bar of the supreme court on the occasion of the death of Reverdy Johnson, and applied to the deceased the language which he then used with respect to a great jurist of Maryland.

The obsequies consequent upon the death of Senator Carpenter at Washington, and subsequently at Milwaukee, were grand and imposing, at the latter city almost the entire population were out on the occasion. Among the distinguished members of the committee of the senate who escorted the body to Wisconsin was Roscoe Conklin, upon whom it devolved to formally transmit the sacred trust to the charge of the authorities who assumed the charge. On the occasion that distinguished gentleman made use of the following beautiful sentiment, addressing Governor William E. Smith: "Deputed by the senate of the United States, we bring back the ashes of Wisconsin's illustrious son, and tenderly return them to the great commonwealth he served so faithfully and loved so well. To Wisconsin this pale and sacred clay belongs, but the memory, the services, and the fame of Mathew Hale Carpenter are the nation's treasures, and long will the sister states mourn the bereavement which bows all hearts to-day." To this Governor Smith appropriately and happily responded. Mr. Carpenter was buried in the beautiful Forest Home Cemetery in the suburb of Milwaukee, and a monument is to be erected over the spot by the spontaneous offering of his friends and admirers throughout the state.

His family consisting of Mrs. Carpenter, daughter Lillian and son Paul, reside at the family mansion in Milwaukee, and ample means were left by Mr. Carpenter to insure the comfort of his family for life.

The writer who shall attempt to analyze the life, talents and character of Matt. H. Carpenter will perhaps find a key in the proposition that he was above all else a lawyer. This fact formed his mental habits, shaped his convictions, and in no slight degree molded his moral constitution. It accounts for some of the most notable achievements and some of the errors that his more elaborate biographer will be called upon to record. His best speeches in the senate have been delivered when he had to deal with legal questions and such as called for the essentially lawyer-like method of discussion. When the occasion arose for a broader grasp, and for a manner of treatment that may be called statesman-like, in contradistinction to lawyer-like, he was sometimes disappointing. Moreover, he seems at times to have expended less effort in keeping his party right than in showing how ingeniously it could be defended when it was wrong.

Mr. Carpenter's brilliant success at the bar and his conspicuous services in the arena of national legislation won for him a more than continental reputation, and attracted to him in a high degree the attention of his fellow countrymen, so that in his day he was one of the most conspicuous of Americans. It is the fate of all who occupy so prominent a place in the public eye to be the subject of some popular delusions, and Mr. Carpenter did not escape. One of these is deserving of correction for the benefit of younger members of the profession. This impression assumes him to have been a gifted man of indolent habits, and his most eloquent utterances and most profound arguments to have been the easy products of something which it is common to call genius. Nothing could be farther from the truth. In his case, as it may be suspected, in most cases, genius is the capacity and willingness to work sixteen hours out of twenty-four to win his proud position at the bar. Mr. Carpenter did not fail to comply with the conditions prescribed by the great Roman lawyer, and dedicated twenty years to nocturnal studies. He was an indefatigable worker; and notwithstanding the thoroughness of his equipment and the readiness with which he commanded the best weapons in his arsenal, he devoted labored preparation to every cause in which he enlisted. It is to be wished that this may have some influence in impressing upon the young lawyers of Wisconsin that the profession reserves its highest rewards for those who "scorn delights and spend laborious days."

Among the many notable public efforts made by Mr. Carpenter, he

considered his celebrated Janesville speech the best he ever made; yet it is none the less true that the effect of this very speech, which was published at the time, was the means of defeating his reelection to the senate in 1875.

As an evidence of the foresight of Mr. Carpenter it may, in justice to his memory, be said that he was one of the earliest to prognosticate the railroad monopoly that is now upon the country, and delivered an address upon that subject at the state fair at Madison, ten years or more since, attracting, however, little attention to what the subject demanded.

Politically he had been a democrat. Although seeking and holding no office, except for one term as district attorney of Rock county, he gained distinction in advocating the measures of the democratic party. He took an active part as a political speaker in the presidential campaigns of 1856 and 1860. In the latter he was a staunch adherent and ardent admirer of Stephen A. Douglass. He saw with regret the success of Mr. Lincoln, and his inauguration as president. But when the southern states assumed the attitude of rebellion against the laws and just authority of the government of the United States, he sprang with uncalculating patriotism to the defense of the lawful government of his country. With the foresight and ability of a statesman, he defended its right to maintain by force of arms the national existence. He trampled under his feet all narrow party prejudices, and supported with unreserved zeal all the measures of Mr. Lincoln's administration which were adopted to defeat the armed enemies of the Union, until the rebellion was finally suppressed. His patriotic appeals and stirring eloquence did much to keep alive the fires of patriotism in the hearts of his former political associates in this state, while his unselfish devotion to his country and its lawful government kept him wholly clear of the rocks of a halting support and the quicksands of a qualified and half-hearted upholding of the government, on which the reputations of so many prominent politicians were stranded, or in which they were sunk.

ANGUS CAMERON, La Crosse, was born in the town of Caledonia, Livingston county, New York, on the 4th day of July, 1826. His father's name was Duncan Angus Cameron, and his mother's name before her marriage was Sarah Mac Call. His father was the son of Angus Cameron and Katharine MacPherson. He was born in Inverness-shire,

Scotland, in 1784, and came to America with his parents in the year 1800. They settled in Caledonia in 1803. The county was then a wilderness. His mother was the daughter of Hugh MacCall and Mary Campbell, and was born in Argyleshire, Scotland, in 1788. She came to America with her father's family in 1809. Angus Cameron's father attended the parish school of his native parish until he emigrated to America. He possessed a quick and strong natural intellect, and acquired education rapidly. He was well educated in the branches then taught. He was an industrious reader all his life, and was thoroughly versed in history and religious subjects. He frequently held local offices. His judgment was excellent as far as his knowledge or information extended. He was often consulted by his neighbors on business matters, and his advice was highly regarded by his acquaintances. He very frequently made wise remarks, that are quoted to this day in the neighborhood. His mother was also well educated, for the time in which she lived. She possessed strong natural sense. His mother died at Caledonia in 1864, and his father in 1872. His parents and their ancestors, as far back as the days of John Knox, were rigid Presbyterians.

He began attending the district school when he was five years of age. He attended school winters and worked on his father's farm summers until he was thirteen years of age. His father then sent him to the Genesee Wesleyan Seminary, at Lima, Livingston county, New York. This was an institution of high grade for its class. He attended this seminary three years. He also attended an academy at Geneseo, Livingston county, one year. He taught school when he was fifteen years of age, and continued to teach winters until he was twenty-two years of age. He taught one year in the seminary at Lima. He was a good Latin scholar; was also good in mathematics and in moral and natural science.

He entered the law office of Wadsworth & Cameron, at Buffalo, New York, in April, 1850, as a law student. He swept and dusted the office, copied and served papers, and made himself generally useful. He was so useful that he was paid a salary of two hundred dollars the second year. He graduated at the National Law School at Ballston Spa, Saratoga county, in March 1853, and was admitted to the bar at Albany, New York, in April 1853. After he was admitted he returned to the office of Wadsworth & Cameron, and continued there until the spring of

1856. In April, 1856, he formed a copartnership with Frederick H. Wing, in the banking business, under the firm of Cameron & Wing, and was engaged in banking at Buffalo until the spring of 1857.

He was married at the town of Urbana, Steuben county, New York, to Mary Baker, on the 21st day of February, 1856. She is a daughter of William Baker, and a granddaughter of Samuel Baker, a revolutionary soldier, who settled in that town in 1790. Her mother was of Holland Dutch descent. Her grandmother was a first cousin of Martin Van Buren, the eighth President of the United States. He removed with his wife from Buffalo to La Crosse, Wisconsin, in the month of September, 1857, and they have ever since resided at La Crosse. His wife is still living. They have no children.

He formed a law partnership on his arrival at La Crosse with Alonzo Johnson, under the firm of Johnson & Cameron. This firm continued until the death of Mr. Johnson, in May 1860. On the first day of December, 1861, he formed a law partnership with Joseph W. Losey, under the firm of Cameron & Losey. Mr. Losey and he are still law partners. Charles W. Bunn became a partner with them on the 1st of September, 1875, and the firm has since been Cameron, Losey & Bunn. He was a member of the Wisconsin state senate two terms of two years each — 1863 and 1864, also 1871 and 1872. He was a member of the assembly of Wisconsin two years — 1866 and 1867. He was speaker in 1867. He was a delegate to the Baltimore republican convention in 1864. He was one of the regents of the University of Wisconsin for nine years — from 1866 to 1875. He was elected to the senate of the United States in January 1875, and was reelected in March 1881. He was an anti-slavery whig in politics until the formation of the republican party, when he attached himself to that party. He has always been regarded as a radical. Senator Cameron has been a republican of the straightest kind since the formation of that party; an ardent worker in the cause, never an office-seeker, and has proved in every station in which he has been placed a most reliable, consistent and useful public servant.

In the United States senate his career has not been conspicuous as a speaker, but few members have acquired more influence than he has as a worker, and of unselfish statesmanship. He has occupied membership of some of the most important committees, and also has been placed on important select committees, one of which was the investigation of alleged frauds in South Carolina at the presidential election of

1876, and, as chairman of it, made a report which was considered able and exhaustive, and attracted general public attention. It may truthfully be said that there is no man in public life of more sturdy uprightness, and who possesses to a greater degree the confidence of the country than Senator Cameron.

MEMBERS OF CONGRESS.

MORGAN L. MARTIN, Green Bay, was born in Martinsburg, Lewis county, New York, March 31, 1805. He completed the common school course earlier than usual. Entering Hamilton College he graduated in 1824 at the age of nineteen. He pursued legal studies for two years in the office of Collins & Parish, at Lowville, New York. At the end of this time he removed to Detroit, Michigan, where he continued the study of law in the office of H. S. Cole, and was admitted to the bar in 1827. He removed to Green Bay in May of the same year, and became the legal adviser of the place. In July 1833 he visited the mouth of the Milwaukee river and there found Peter and Soloman Juneau's cabin, and in September of the same year he again visited the place and entered into a verbal contract with Soloman Juneau for the undivided half of his claim, composing the territory upon which the city of Milwaukee now stands. He together with Juneau made the first plat of the city, and put it upon record in 1835. To Morgan L. Martin, as well as to Soloman Juneau, belongs the honor of founding the city of Milwaukee. In 1851 he became identified with the Fox River improvements, and gave it his attention until 1858. In this enterprise he lost much of his fortune but preserved his integrity. In 1861 he entered the United States service as paymaster. He retained this position until 1865, when he resigned and returned to Green Bay, where he resumed his legal practice.

In 1831 he was chosen a member of the territorial legislature of Michigan, and served in that body until Michigan became a state. After the organization of Wisconsin territory he served in her assembly from 1838 to 1844, after which he declined a reelection. In the following year he was elected to congress and served one term. He was president of the second constitutional convention of Wisconsin in 1848, and member of the state legislature during the sessions of 1855, 1858, 1859 and 1874. After the latter date he withdrew from politics. In 1875 he was chosen county judge of Brown county, where he still serves. Judge Martin is one of the pioneers of Wisconsin, both in citizenship and in the practice of the law, as well as law maker.

JOHN H. TWEEDY, Milwaukee. This early practitioner of the Milwaukee bar was a native of Connecticut, having been born at Danbury in that state November 9, 1814. His early education prepared him for college which he entered, and became a graduate at Yale in 1834. Deciding to enter the profession of law, he commenced its study with Reuben Booth, of Danbury, completed his course at the Yale Law School, and was admitted to the bar at New Haven in July 1836. In October of the same year he came to Milwaukee and entered into practice, which he conducted until November 1847, and after the year of 1844 a partnership with Hans Crocker was formed under the firm of Tweedy & Crocker. During the years of 1839, 1840 and 1841 Mr. Tweedy held the office of commissioner and receiver of canal lands. In 1842 he represented Milwaukee county in the territorial council; in 1846 was a member of the first constitutional convention for the formation of a state government; in 1845 was candidate for mayor at the first city election of Milwaukee; in 1847 was elected delegate to congress; in May, 1848, he drafted and procured the passage of the enactment admitting the state of Wisconsin into the Union; was the whig candidate for governor at the first election of state officers; in 1850 was nominated for member of congress by the whig party for first congressional district, which he declined; in 1848 was appointed postmaster of Milwaukee, which office he resigned after serving a few months; in 1852 he represented the first ward of Milwaukee in the legislative assembly; was one of the first directors of the Milwaukee & Mississippi railroad, which was the pioneer railroad of Milwaukee, and served as director until in August 1853, when he resigned and was an organizer and one of the directors of the Milwaukee & Watertown railroad, now a part of the main line of the Chicago, Milwaukee & St. Paul railway.

Mr. Tweedy was a pioneer in inaugurating the railway system of the state, and for many years gave his active personal attention to starting and extending railroad lines. He was an early settler in Milwaukee, has always taken a deep interest in municipal affairs, and intimately identified with city improvements. After eleven years' practice of his profession ill health compelled him to relinquish the business, possessing ample means to enable him to do so.

WILLIAM PITT LYNDE, Milwaukee, was born at Sherburne, New York, December 16, 1817, and is the son of Telly and Elizabeth Warner Lynde, both of whom were natives of Massachusetts and removed to Sherburne in 1800, where the father was engaged in mercantile business. William Pitt Lynde was named after that eminent English statesman of whom the father was an enthusiastic admirer. His preparatory education was at Hamilton Academy, Hamilton, New York, and at Homer, Cortland county, New York. He entered Hamilton College in 1834 when, after remaining two terms in that institution, he entered the sophomore class of Yale College, from which he graduated with the highest honors in 1838, on which occasion he was chosen by the class to deliver the valedictory. While in college he excelled in the ancient languages and was also an especially proficient Greek scholar. Upon leaving college he entered the law department of the New York University, then presided over by the distinguished Benjamin F. Benter, who was attorney-general under President Van Buren, and Judges David Graham and Kent were of the faculty. Here he remained one year, when he entered the Harvard Law School, then under the direction of Judges Story and Greenleaf. Graduating in the spring of 1841, he was admitted to the bar of New York at the May term of the same year of the supreme court in company with Judge Field. Chief Justice Nelson presided on the occasion.

In the autumn of 1841 he came to Milwaukee, and early in the following year formed a law partnership with Mr. Asahel Finch, which continues to the present time. In 1857 Mr. B. K. Miller, son of Judge A. G. Miller, of the United States district court, and Mr. H. M. Finch, nephew of the senior partner, became members of the firm which has since been widely known as Finches, Lynde & Miller.

In 1844 Mr. Lynde was appointed attorney-general of the territory of Wisconsin, which office he resigned in 1845 to accept that of United States district attorney for the district of Wisconsin. Upon the admission of Wisconsin as a state into the Union, he was elected to represent the first district in congress, and served from December, 1847, to March, 1849. In 1860 he was elected mayor of Milwaukee, and held the office two years. In 1866 he was elected a member of the assembly, and in 1868 was elected member of the state senate. In 1874 he was again elected member of congress, and during his term was a member of the committee on the judiciary of the house of representatives. He was

also one of the managers appointed by the house to conduct the Belknap impeachment trial before the senate. In 1876 he was reelected to congress by a very large majority.

Mr. Lynde has always been a conservative democrat, but was instinctively opposed to slavery, was fully in accord with the measures for its abolition, and with the constitutional amendments securing the political and civil rights of the blacks. In 1867 he made a six months' tour of Europe, visiting Great Britain and continental cities. In the varied and very extensive law practice of his firm, Mr Lynde makes a specialty of admiralty and patent causes, and is considered to be more familiar with current decisions on questions of commercial and admiralty law not surpassed by any practitioner in the Northwest, and is also thoroughly read in general law. While forcible before a jury his best efforts are before the bench. Mr. Lynde is one of the most finished scholars and linguists of the day, is a diligent student of ancient and modern literature, and a regular reader of French and German journals and periodicals. He is a gentleman of blended urbanity and dignity, and a much respected citizen.

A few days after his admission to the bar he married Miss Mary E. Blanchard, May 24, 1841, at Truxton, Cortland county, New York. Mrs. Lynde is a gifted and a highly accomplished lady and a graduate of the Albany Female Academy, where she took the first prize in composition, her essay having been read before the faculty by William H. Seward. Of active mind and benevolent disposition she is foremost in every enterprise, whether public or private, the object of which is the benefit of the community. She was appointed by Governor Fairchild a member of the first board of directors of the state charitable institutions and held the office four years; was one of the founders of the Protestant Orphan Asylum, of Milwaukee, and has been a member of its board of directors since its organization; was the prime mover in founding the Industrial School for Girls in Milwaukee, and is president of its board of directors; and has been for many years a member of the Social Science Association of the United States, to the publications of which she is a frequent and valued contributor; she, as well as her husband, is a prominent and active member of the Emmanuel Society of the Presbyterian church in Milwaukee. They have six children living, the two younger sons being graduates of Yale College and now members of the bar.

A. SCOTT SLOAN, Beaver Dam, was born at Morrisville, Madison county, New York, on June 12, 1820. His father, Andrew S. Sloan, was a lawyer; his mother was Mehetabel Conkey. He had common school and academic education, and on leaving school he commenced studying law with A. L. Foster, who represented the Madison and Onondaga district in congress in 1838. He studied a year with J. Whipple Jenkins, of Verdon, New York; was admitted to practice in 1842, and practiced at De Ruyter, New York, from 1844 to 1847, and from 1850 to 1854.

He moved to Wisconsin in 1854, and settled at Beaver Dam, and has resided there ever since. He has always practiced law, except when occupied with official duties. He was married January, 1841, at Cazenovia, New York, to Angeline M. Dodge, daughter of Reverend John R. Dodge, a presbyterian clergyman. They have six living children. His only brother living is I. C. Sloan, who is distinguished as a lawyer and statesman. There is a remarkable coincidence in the lives and characters of the two brothers. Judge Sloan was a Henry Clay whig, and a republican from the organization of the party till 1872, when he supported Horace Greeley for the presidency, and is now a liberal. He was county clerk of Madison county, New York, from 1847 to 1849 inclusive; a member of the assembly of Wisconsin in 1857; mayor of Beaver Dam in 1858; circuit judge from September, 1858, to June, 1859; a member of congress from 1861 to 1863; clerk of the United States district court from 1864 to 1866; county judge of Dodge county from 1868 to January 1, 1874; was attorney-general from 1874 to 1878, and was elected judge of the new thirteenth circuit, which was created by the legislature of 1881.

The duties of the office of attorney-general during a portion of the term in which Mr. Sloan served was unusually arduous and laborious. After the passage of the act relating to railroads, known as the Granger law, the railroad companies employed Messrs. Curtiss, Evarts and Hoar, among the most eminent lawyers of the country, who in their opinions, elaborately written, pronounced the law unconstitutional and void. The attorney-general on the other hand, held that the law was constitutional, and a legitimate exercise of legislative power. Subsequently cases involving the constitutionality of this law were discussed in the United States circuit court, and in the supreme court of the state, and the positions taken by the attorney-general were fully sustained, and his

course of reasoning vindicated. Having completed his two terms as attorney-general, to the entire satisfaction of the people of the state, Judge Sloan returned to his law practice at Beaver Dam, and entered upon the duties of circuit judge January 1882.

ITHAMAH C. SLOAN, Madison, was born in Morrisville, Madison county, New York, May 9, 1822, and received a common school and academic education, after which he entered upon the study of law with Timothy Jenkins, a distinguished lawyer at Oneida, New York; was admitted to the bar as an attorney, at Ithaca, in 1848, at the second term of the supreme court of that district after the adoption of the code of procedure in New York, by which the forms of action and practice as established by the common law were abolished, and the code of procedure the same as now prevails in Wisconsin was established. From the time of his admission until 1854 he practiced law at Oneida, during which year he came to Wisconsin and located at Janesville in the business of his profession. In 1858 he was elected district attorney of Rock county, and was again elected to the same office in 1860. Two years later he was elected, by the republican party, member of congress, and reëlected in 1864. During his service in the house of representatives he was a member of the committee on public lands, on claims, and on expenses of the war department committee, that were of the first importance at that period of the war of the rebellion. The career of Mr. Sloan while in congress was alike honorable and useful, and he came out of public life at Washington with an absolutely clean record. His further continuing in congress was precluded by the then iron-clad rule in his district that a representative should serve only two terms. Returning to his law practice at Janesville, it was continued there with eminent success until 1875, when he removed to Madison, and became assistant attorney-general for a time under his brother, A. Scott Sloan, who was attorney-general. While acting in this capacity, and afterward, he was engaged in prosecuting the granger law in behalf of the state against the railroads violating it in Wisconsin, and which resulted in a complete triumph for the state. For many years Mr. Sloan has been in active practice of law in Madison, and is accounted one of the most eminent lawyers of the state. For profundity in matters of law, his reputation is high and well-founded. He is a close student, and the merits of the causes he undertakes are fully sifted to the bottom. As

an advocate, few men have the like happy faculty of presenting the points of his cases in an equally terse, concise, clear and forcible manner, while his style is courteous, dignified and convincing.

In private life, no citizen is more upright, courteous and public spirited. For several years he has been one of the faculty of the law department of the State University.

AMASA COBB, Lincoln, Nebraska, is a native of the State of Illinois, having been born in Crawford county in that state, September 27, 1823, and there received a common school education. In 1842 he came to Wisconsin territory, and engaged in lead mining. During the Mexican war he served as a private in the United States army. Having entered upon the study of law, he was subsequently admitted to the bar, and commenced practice at Mineral Point. In 1850 he was elected district attorney, and, reelected, served in that office until 1854. Entering politics, he was elected a member of the state senate for the term of 1855-1856, within which time he was appointed adjutant-general of the state, and filled the office from 1855 to 1858. He was elected member of the assembly in 1859 and the subsequent year, and was speaker of that body for the session of 1861, giving his voice and vote to the support of the early war measures. At the close of the session he raised the men for the fifth Wisconsin regiment, became its colonel, and went to the war. While in the service he was elected member of congress in 1862, and consequently resigned his military commission. During the recess of congress in 1864, he raised another regiment, the Forty-third Wisconsin Infantry, and served as its colonel until the close of the war, when, on the recommendation of Major-General Hancock, his old brigade commander, he was, for special gallantry at the battle of Williamsburg, brevetted brigadier-general of United States volunteers. He was reelected to congress in 1864, 1866 and 1868.

Retiring from congress in 1871, the subject of this sketch removed to Nebraska. Locating at Lincoln, the capital of the state, he entered upon the practice of his profession, and was interested in banking. In 1878, upon the death of Chief Justice Gault, and the consequent elevation of associate Judge Maxwell to the office of chief justice, thus leaving the office of associate judge vacant, General Cobb was appointed by the governor of the state to fill the vacancy until the next election. At the next election he was chosen to fill the unexpired term of one year, and at its termination reelected for the full period of six years.

CHARLES A. ELDREDGE, Fond du Lac, was born in Bridgeport, Vermont, February 27, 1821, and went when young with his parents to New York, where he was educated, studied law, and was admitted to the bar. In 1848 he came to Wisconsin and located at Fond du Lac, in the practice of law. He was a member of the state senate for the term of 1854 and 1855. Subsequently he was elected to the thirty-eighth, thirty-ninth, fortieth, forty-first and forty-fifth congresses by the democratic party, of which he has been a consistent, prominent and stalwart member.

HALBERT E. PAINE, Washington, D. C., was born in Chardon, Geauga county, Ohio, February 4, 1826, received a classical education, graduating at the Western Reserve College in 1845. He then entered upon the study of law, was admitted to the bar in 1848, and commenced practice at Cleveland, Ohio. In 1857 he came to Wisconsin and located at Milwaukee. On the breaking out of the war of the rebellion he entered the Union Army in May, 1861, as colonel of the third Wisconsin regiment. Immediately taking his command to the front he served with a distinction that promoted him to the rank of brigadier-general in January 1863, commanding the third division of the Nineteenth Corps, and at the last assault on Port Hudson lost a leg. In March, 1865, he was brevetted major-general and resigned in May of the same year. Returning home he was elected representative to the thirty-ninth congress on the republican ticket, was reelected to the fortieth congress, and again reelected to the forty-first congress, and served from December 4, 1865, to March 3, 1871. When in congress he served on the committee on reconstruction, that on soldiers' and sailors' bounties, and as chairman of the committee on the militia.

In 1866 he was a delegate to the loyalist convention that was held at Philadelphia. Under the administration of President Grant General Paine was appointed commissioner of patents, and served several years, when he resigned the office. Retiring from public life he made his residence in Washington, where he resumed the practice of law and still continues in his profession at the capital city, where he meets with eminent success.

Distinguished alike at the bar, in the field and in public civil life, the record of General Paine is one of which the people of Wisconsin are proud. In this state, and especially in Milwaukee, he has untold num-

bers of warm personal friends. Brave in war, able in every phase of life, with utmost purity of character, urbane in deportment, true to friends and every public or private trust, few men have left the state more regretted, carrying with him the good wishes of all who know him.

CHARLES G. WILLIAMS, Janesville, was born in Royalton, Niagara county, New York, October 18, 1829. He is of New England parentage, his father, Deodat Williams being a native of Hartford, Connecticut, and his mother, Mary Wright, of Shoreham, Vermont. After the marriage of the father of Mr. Williams, he engaged for a time in mercantile business at Shoreham, Vermont, from whence he removed to Niagara county, New York, where he took up land on the Holland purchase, and during the remainder of his life was engaged in farming.

Charles G. was the youngest of a family of ten children. His early educational opportunities were such only as a district school afforded, and these were much interrupted by poor health. When quite young he developed a fondness as well as an aptness for public speaking. He was instrumental in organizing debating schools in his neighborhood, and took great interest and pleasure in attending and taking part in the discussions at these schools, and in later life has often remarked that among his truest and most esteemed friends are the farmers he used to meet at these schools. When Mr. Williams was about fifteen years old he conceived the idea of reading law, and very soon thereafter his determination to become a lawyer became fixed and unalterable. He encountered sore disappointments, and at times what seemed to his friends insurmountable obstacles, but he never waivered in his purpose. At first his father did not encourage his son's ambition, but observing how resolutely he held to his purpose, he entered into sympathy with his wishes, and determined to give him a thorough education, preparatory to his entering upon the study of the profession he had chosen, when suddenly death came to the father, and at the age of sixteen Charles was left not only without the counsel and sympathy of a father, but thrown upon his own resources for the future. Soon after this event he engaged in teaching and working at day labor during vacations, by which means and with some aid which his two older brothers, E. W. and M. B. Williams were able to render him, he succeeded in completing a thorough academic course at the Genesee Wesleyan Seminary, of Lima, New York.

He commenced the study of the law in the office of Judge L. F. & George Brewer, of Lockport, New York, teaching a part of the time in the high school of that place. In 1852, he removed to Rochester, New York, where he completed his law studies, and was admitted to the bar in 1855. He entered at once into the practice of his profession, fully intending to make Rochester his permanent home. Soon after Mr. Williams was admitted to the bar he was married to Miss Harriet Gregg, daughter of Benjamin Gregg, Esq., and after having practiced one year at Rochester he received a very liberal offer from the late Judge David Noggle, of Janesville, to come to that place and take charge of his legal business, as the judge at that time contemplated retiring from practice. The elevation of Judge Noggle to the bench soon after the arrival of Mr. Williams at Janesville gave him the opportunity of entering at once into a good legal practice. In about two months after the arrival of Mr. Williams in Janesville he buried his wife. He afterward married Mary A., eldest daughter of Judge Noggle, with whom he is now living, and by whom he has two children, Kittie A. and Ward D. In politics Mr. Williams is a thorough republican, and his power as a campaign speaker very soon became known and appreciated by the people of his adopted state, and from the very first year he came to Wisconsin to the present time no important political campaign has occurred in which large drafts have not been made upon him to which he has responded with an earnest power and eloquence, that has placed him in the very front rank of political speakers. Notwithstanding the arduous labor performed by him in this direction, he had a large, successful and constantly increasing legal business in both civil and criminal cases in Rock and adjoining counties, and was always able to maintain his position in the front rank of his profession. As a lawyer, Mr. Williams possesses great power in discussing questions of fact to a jury, but does not lack in ability to present the law of a case to the court in a clear, forcible and convincing manner. He never entered upon the trial of an important case without careful, painstaking and studious preparation.

In the year 1868 Mr. Williams was a republican presidential elector, and the same year was elected to the state senate. He was reëlected to the state senate in 1870, and was made president pro tempore and chairman of the judiciary committee of that body. During his term of service in the state senate he took and held a front rank among its leaders. He was nominated by acclamation, and elected to the forty-third congress

in 1872, and has been four times since renominated almost without opposition, and elected by majorities, ranging from four to six thousand. No member of congress ever enjoyed in a higher degree the respect, confidence and affection of his constituency. They feel a just pride in his record and in that marked ability which has given him a position among the ablest and most eminent statesmen in congress. After his election to congress he felt that his constituents were justly entitled to his best services, and hence gave up his law practice entirely, and has devoted his whole time to his congressional duties. His reputation and influence in congress have been constantly growing. He entered upon his congressional career with becoming modesty and reserve, and his every act and word has been characterized by sound practical judgment.

After careful study and preparation he has taken part in the discussion of nearly every important question that has come before the house during his term of service, among which may be mentioned inter-state commerce, centennial exposition, civil rights, force bill, specie payments, Chinese immigration, electoral count, election laws, army and other appropriations. Some of his speeches have been extensively circulated through the south, as well as in the north. During the last presidential campaign he was called upon to speak in Maine, Ohio, New York, Indiana and Minnesota. Perhaps one of his best efforts was his oration delivered at Arlington Heights on May 30, 1878, the occasion being the decoration of the soldiers' graves in the national cemetery there. Mr. Williams is emphatically a man of the people, and never hesitates to espouse their cause without regard to personal consequences. He is a man of great decision and firmness of character, thoroughly honest and consistent, and no spot or blemish has ever stained the purity of his life.

JOEL ALLEN BARBER, Lancaster, was a native of Vermont, and was born January 17, 1809. He worked at farming until his eighteenth year, when he entered the Georgia Academy, and fitted for college; entered the university of Vermont in the summer of 1829; left at the end of two and a half years; read law with George P. Marsh, of Burlington, and was admitted to the bar of Prince George county, Maryland, in 1834. He returned to Vermont and practiced at Fairfield until 1837, settling, in September of that year, at Lancaster, Wisconsin. Here he was in practice for over forty years, at times mingling land operations with law business, but not enough to interfere with his pro-

fession. His knowledge of law was sound and extensive; he had a high standing as a criminal lawyer, and in all respects had long been an honor to the profession. During the forty odd years that Mr. Barber was a resident of Grant county he held some official position two-thirds of the time; was district attorney three terms; three times a member of the lower house of the legislature; one term in the state senate, and a member of the forty-second and forty-third congress. Originally Mr. Barber was a whig of free-soil tendencies, and naturally identified himself with the republican party, to which he steadfastly adhered. He died in the fall of 1881.

GERRY W. HAZELTON, Milwaukee, was born at Chester, New Hampshire, in 1829. His ancestors, among the early settlers of New Hampshire, were on the side of his father of English, and of his mother of Scotch, origin.

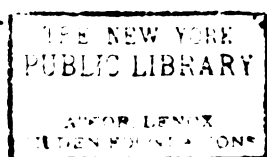
After a course of study in the common school he entered Pinkerton Academy, in Derry, New Hampshire, and was also a pupil for some time of Mr. Crosby, a distinguished teacher for nearly a half century at Nashua, New Hampshire. In 1848 he went to Amsterdam, New York, where he commenced the study of law with his kinsman, the late Hon. Clark B. Cochrane, at the same time pursuing his classical studies with a private tutor. Admitted to the bar in 1852, he shortly after formed a partnership with Hon. S. P. Heath, which continued till 1856, at which time he came west and located at Columbus, Wisconsin.

In 1860 he was elected to the state senate, and served as a member of the judiciary committee, and chairman of the committee on benevolent institutions. Was elected president pro tem. of the senate, and reëlected to the same office at the extra session following the death of Governor Harvey. At the second regular session Mr. Hazelton was made chairman of the committee on federal relations, and again elected to the position of president pro tem. of the senate. He was also appointed at the same session chairman of several important special committees.

Declining to be a candidate for reëlection to the senate, Mr. Hazelton resumed the practice of his profession, and was elected prosecuting attorney for Columbia county in 1864, and before the expiration of his term of office, in March 1866, was tendered and accepted the position of collector of internal revenue for the second collection district. De-



G. W. Hapton



clining to follow President Johnson in the reconstruction policy he attempted to pursue, Mr. Hazelton was removed in less than a year to make room for a successor who sympathized with the policy of the President.

In 1869 he was appointed United States attorney for the district of Wisconsin, then embracing the entire state, and acted in that capacity until January 1, 1871, at which time he filed his resignation, having been elected to the forty-second congress from the second district at the preceding election. In this congress he served as a member of the committee on privileges and elections, and also of the committee on expenditures in the navy department.

In the appointment following the census of 1870 the second congressional district was changed, by the substitution of Sauk county in place of Rock, but Mr. Hazelton was nominated for a second term by acclamation, and reelected by a large and gratifying majority.

In the forty-third congress he served on the committee on privileges and elections, and also as the second member of a new committee — that of war claims — then organized for the first time. He was also appointed by speaker Blaine one of the regents of the Smithsonian University.

The subject of improving the Fox and Wisconsin rivers being much agitated by the people of the state, and especially those along the line of these rivers, he presented the subject to the house of representatives in March 1872 in a carefully prepared speech, which was widely published in the newspapers interested in the enterprise.

Mr. Hazelton also interested himself in the attempt to repeal the bankrupt law, believing the same to be as administered unfortunate for both the debtor and the creditor, depleting the fund which might be applied to liquidate honest liabilities to pay fees to attorneys, registers and assignees. The bill introduced by him passed the house of representatives by a vote of more than two-thirds of the members, but failed to pass in the senate. The attempt, however, and the debate which it occasioned, resulted in a modification of the law, and a large reduction of the fees and costs.

In the forty-third congress Mr. Hazelton took an active interest in the subject of transportation between the east and the west, supporting his views by a speech on the floor of the house of representatives which was reproduced by the press of the state.

It was during the first session of this congress that he came prominently into notice in connection with two contested election cases from West Virginia. He differed from the chairman and other members of the committee in regard to the legality of what was known as the August election. Believing firmly in the correctness of his position, he prepared a minority report, sustained by only one other member of the committee of eleven. The discussion which ensued occupied two days, and was participated in by many of the ablest lawyers in the house of representatives. The positions assumed by Mr. Hazelton were indorsed by a large majority, and the persons elected at the August election — one a republican and the other a democrat — were both accorded their seats in the house of representatives.

Mr. Hazelton made a strenuous effort during his second term to get the so-called iron-clad claims, amounting to a million and a half of dollars, taken out of the lobby of congress and sent to the court of claims, where the government could make proper investigations and present counter-proofs, and where the justness of the claims might be subjected to a close and careful judicial inquiry, which could not be done by a committee of congress on ex parte evidence. He, however, failed in his purpose.

Evidence having been lodged with the committee on privileges and elections that George Q. Cannon, delegate for the Territory of Utah, had openly and defiantly upheld the system of polygamy prevailing in that territory, and had brought himself within the provisions of the act of July 1, 1862, which provides that every person having a husband or wife living who shall marry any other person, whether married or single, in a territory of the United States, or other place over which the United States have exclusive jurisdiction, shall be adjudged guilty of bigamy, and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, and by imprisonment for a term not exceeding five years. Mr. Hazelton introduced and secured the adoption of a resolution, instructing the said committee to investigate such charge, and report the result to the house, and recommend such action on the part of the house as shall seem meet and proper in the premises. The object of the resolution was, as its terms indicate, to raise the question of the fitness of the delegate to occupy a seat in the house of representatives, and to secure his expulsion if the charges against him should be sustained by competent proof. The passage of the resolution created a

genuine sensation among the friends of the delegate, and when the matter was called up in committee a motion to postpone consideration of the subject until the following December was carried by one majority, and the object of the resolution thus defeated.

Mr. Hazelton also introduced a bill defining the hours of labor in certain cases, designed to protect the street car conductors of the street railroads of Washington from the unreasonable demands of their employers, who exacted fourteen hours as a day's labor. The bill passed the house of representatives, and after reaching the senate was sent to the judiciary committee, but never heard of afterward.

At the end of his second term in congress, not having been a candidate for renomination, Mr. Hazelton resolved to return at once to the practice of his profession. About the same time he was offered the position of United States attorney for the eastern district of Wisconsin. This offer, though unsolicited and unexpected, he concluded to accept. Removing to Milwaukee in August 1875, he entered upon the duties of that office, and is holding the same at the present time.

No member of congress ever came out of his term of service with a cleaner record than did Mr. Hazelton, and during his entire labors in the house of representatives his course met the unqualified approbation of his constituents.

Although holding many public offices during his residence in the state, some of them making heavy demands on his time and attention, he has never at any time wholly given up his law practice. Since assuming the duties of his present position he has devoted himself entirely to professional pursuits.

Mr. Hazelton ranks among the ablest of lawyers in a city where ability among the fraternity is by no means the exception. Eminently successful, he brings to the consideration of every case extensive learning, sound common sense and unwearied industry. These make him a safe and wise counselor, and coupled with great powers of analysis and a most persuasive eloquence, enable him to command from courts and juries that respectful attention, and to exercise over their deliberations that influence, which are the reward of a thorough training in, and adaptation for, his profession.

During his entire residence in Wisconsin, Mr. Hazelton has been identified with public interests, and has responded to various calls from all parts of his state for addresses and lectures. As a speaker he is

The same diligence and exactness in the performance of duties marked his career in congress. With four clerks and himself constantly employed, he did an amount of work during his two years' term, rarely exceeded by even an old member of congress. He is the first native of Wisconsin who has represented the state at the national capitol. He made no effort for a second term, but issued a masterly address to his district declining to contest for a second nomination. Possessed with ample means, built up by his own life-long labor, Mr. Magoon has gathered together a well selected law and literary library, comprising over four thousand volumes. Of eminently scholarly tastes, his time, not devoted to business, is employed in literary pursuits, and it is understood is preparing a history of Southwestern Wisconsin, which he is capable of making of great value and interest. Few of the prominent and public men in this state unite the amiability of disposition and quiet and courteous demeanor with the energy of character that mark the leading traits of the subject of this brief sketch.

HERMAN L. HUMPHREY, Hudson, was born at Candor, Tioga county, New York, March 14, 1830. His education was in the public schools with the addition of one year in Cortland Academy. At the early age of sixteen he commenced the business of life as a merchant's clerk, in Ithaca, New York, where he remained in that employment several years. Developing, with maturer years, a preference for professional life, he left mercantile pursuits, and entered upon the study of law in the office of Walbridge & Finch, at Ithaca, where he remained until he was admitted to the bar in July, 1854. Wisely concluding that the new western country offered the better field for a youthful practitioner, he wended his way to the flourishing State of Wisconsin, and selecting Hudson for a location, settled down there, and where he has ever since remained. Here he commenced the practice of the law in January, 1855, and soon entered upon the tide of successful business. Not long after this auspicious beginning, a vacancy occurred in the office of district attorney for that county, and Mr. Humphrey received an appointment to the position, holding this office during such vacancy. In the fall of 1860 he was appointed by the governor county judge for St. Croix county, to fill a vacancy, and was elected to the same office at the regular election the ensuing spring, for the full term of four years, commencing January 1, 1862. In the meantime, having been elected



Henry S. Wagoner

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the human brain.

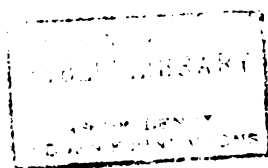
2. The second part of the paper is devoted to a discussion of the general principles of the theory of the structure of the human brain.

3. The third part of the paper is devoted to a discussion of the general principles of the theory of the structure of the human brain.

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Henry S. Magrison



state senator in the fall of the last named year, he resigned his office of county judge in February, 1862, having taken his seat in the senate. This was right in the height of the war, and Senator Humphrey was found conspicuously acting with those who, with voice and vote, were active in maintaining the Union soldiers in the field and upholding the hands of the president. After the fall of Fort Donelson, a bill was introduced and passed the assembly, to repeal the law of 1861 that gave three dollars a month to the wives of soldiers who enlisted in the infantry. The bill, on going to the senate immediately passed to a third reading. At this juncture, Senator Humphrey, although a new member, was the first to come forward with the strong objections to the bill, that such action would be an unjust violation of good faith, and drive the men of this state to enlist in states holding out better inducements, and enforcing these views with such pointed language, that the question resulted in increasing the amount to five dollars per month, and to include every arm of the service. To meet the payment of the large sum of money this bill would call for, the use of the school fund was resorted to. Objections to so using these funds were made by democrats, in that the state might, at some future time, repudiate the debt. Senator Humphrey took the floor, and among other things, said, "Let her repudiate," adding that, as trustee of the school fund, the state would be compelled to make the fund good in any contingency, and that this measure would make the war bonds of the state good; which proved true. He also introduced an amendment to the state constitution to add, after the word "state," occurring in section seven, article eight, "and the United States," so that no further discredit could be brought on the bonds on the ground that they had been issued to defend the United States, and not the state in time of war, the adoption of which would have saved the state much trouble in providing for its bonds in 1865. The senator, likewise, made a speech in favor of the proposition to permit soldiers in the field to vote, which received high commendation at the time, both by those who heard it and the press.

In 1865 Judge Humphrey was elected and served one year as mayor of Hudson, and in the spring of 1866 was chosen judge of the eighth judicial circuit, to which he was reelected in 1872, and resigned in March, 1877, having served in the office from January, 1867, to March, 1877. Although not strictly a politician, the judge always has taken a lively and well informed interest in the political affairs of the country,

and has wielded a large and healthful influence in the republican party; consequently, when a successor to congressman J. M. Rusk was to be chosen in 1876, the republicans of the seventh congressional district with notable unanimity called upon Judge Humphrey to accept a nomination for member of congress. Never a seeker for this or any other political promotion, the judge deferred, however, to the complimentary call, accepted the nomination, and was elected by a handsome majority. Having served with satisfaction to his constituents for one term, he was readily reëlected to the second, at the close of which he expected to return to private life, wisely giving opportunity for others, aspiring to the honors of the office, to win them. But his many friends, otherwise disposed, kept his name in the field, and, on the assembling of the congressional convention in 1880, he was nominated on the first ballot, notwithstanding two very strong competitors were candidates for the nomination. His reëlection resulted by a majority larger than has ever been given to any member of congress in this state. Unobtrusive and conservative in his ways of life, the purity of character of Judge Humphrey is justly appreciated by those who know him. The soundness of his political views has made him a reliable and valued member of the republican party, while the irreproachable moral principle, and wide statesmanship range of thought, that are his characteristics as a public man, has rendered his career in the councils of the nation of enduring benefit to the country, reflecting honor upon his immediate constituents and enduring credit to his public career.

GEORGE COCHRANE HAZELTON, Boscobel, the subject of this brief biography, prominent among the leading self-made men of Wisconsin, is a native of Chester, Rockingham county, New Hampshire, where he was born January 3, 1833, the son of William and Mercy J. Cochrane Hazelton. His father traced his ancestry back through many generations of sturdy Englishmen, and in his own life exemplified many of those traits of sterling manhood which have characterized the active career of his son. After many years of mercantile life he turned his attention to agricultural pursuits, settling on the homestead which had been in the family name for three generations, and there reared a family of six children, of whom George was the fifth. He was a man of firm convictions, and took a decided stand against every form of oppression, and sternly maintained what he regarded as the right. In politics,

he was formerly a Henry Clay whig; but upon the formation of the republican party warmly espoused the principles of that cause and cherished them until his death. The mother of our subject is descended from an old and noted Scotch family, and is a woman of rare intelligence and womanly virtues, and to her influence and training is to be attributed much of that nobleness of character which pervaded her new England home, and which showed itself in the lives of her children. Always taking an active interest in current topics, she entered heartily into the discussion of political and other questions, around her own fireside; and even now, at the advanced age of more than four-score years, she is in the full possession of all her faculties, and keeps herself well-informed on the public issues of the day.

Under the influence of such a home and such training, George passed the first sixteen years of his life, spending his summers in hard work on his father's farm, and during the winters attending the district school. Here his character was formed; and here was instilled into him that independence of thought, that firmness and decision, that strong belief in the equal rights of all men, and that fearlessness of expression which have characterized all his doings. He learned by experience the lessons of hard necessity, and being thrown upon his own resources for means to gain that education after which his ambition reached, he cultivated, early in life, a spirit of self-reliance which revealed to him the strength of his own powers and enabled him to stand on his own independence.

At the age of sixteen years, with the purpose of preparing for college, he entered an academy at Derry, New Hampshire, and afterward continued his academical studies at Dummer academy, in Oldtown, near Newburyport, Massachusetts, under the instruction of Professor Henshaw, who was afterward a noted teacher in Rutgers College, New Jersey. During the years of his preparatory study he devoted a portion of his time to teaching in the country districts, being thus enabled to defray his expenses and secure means sufficient to enable him to enter upon his collegiate course. He was a thorough and close student, and such had been his diligence and application, that he was prepared to enter the sophomore class of Union College, at Schenectady, New York. During his college training he was under the instruction of the venerable and celebrated president Nott. In college he maintained a high standing of scholarship, paying his expenses by his own work, and

in 1858 graduated with honor, and during the same year was admitted to the bar at Malone, New York.

During the following five years, until the fall of 1863, with the exception of a few months spent in the treasury department at Washington, D.C., he was actively engaged in the practice of his profession at Amsterdam and Schenectady, New York, and there laid the foundations of his succeeding professional career. Prior to this time, his elder brothers, William and Gerry W. Hazelton, the latter of whom is at present United States district attorney at Milwaukee, had settled in Wisconsin. This fact, together with his desire for a wider field for the employment of his talents, decided him to remove to the west. He was now thirty years of age; and having decided where his future home was to be, although possessed of but small means, with a firm faith in his own merit and ability, he wedded Miss Ellen Van Antwert, of Schenectady, a lady of fine accomplishments and attainments, and with her settled at Boscobel in Grant county, Wisconsin, where he still resides. Life with all its opportunities was now before him, and with a mind richly stored by his years of study, he was prepared to enter with vigor into his work, and make for himself a position and name. In early life he had taken an active part in debating societies and the college lyceum, and having a native talent for oratorical display, he became known for his power in that direction. These gifts were now brought into full play, and gained for him a marked success as an advocate, and soon secured to him an extensive and lucrative law practice.

In November, 1864, one year after settling in his new home, he was elected district attorney for Grant county, and two years later reelected for a second term. In 1867 he received an election to the state senate, and was chosen president pro tempore of that body, and in 1869 was reelected to the same office. His ambition, however, was to gain a reputation as an able lawyer, and with a view to establishing himself more firmly in his profession, he devoted the next five years to close and diligent practice in the state and United States courts. His success was most marked.

During all his life he had been a close observer of men and events, and kept himself well informed on all questions of both local and national interest. And being by nature a leader, with his varied attainments and rich experience, it was but natural, when his fellow-citizens were seeking a man to represent them in the national legislature, that

they should look to him. He was first elected to that body in November, 1876. At this time the majority of congress was democratic, and Mr. Hazelton, being a staunch republican, found few opportunities to test either his ability to work, his knowledge of politics, or his skill in debate. Notwithstanding these adverse circumstances at the opening of his public life, he stood firm with the minority, and whenever opportunity offered, by his readiness and ability, and force in stating a point, soon began to command the attention of the house. In 1878, when he received a renomination, the leading question in his district, the third Wisconsin, was finance.

Was the nation to have an honest dollar and keep faith with its creditors, or was it to enter upon another era of paper inflation? Upon this question Mr. Hazelton had clear convictions and took a decided stand for a speedy return to specie payment as the only sure road to future national prosperity. With a majority of his district against him, he took his stand upon the republican financial platform; and although democrats and greenbackers combined to defeat him, he overcame the majority by his persuasive arguments, and was elected to the forty-sixth congress. During this congress, in February, 1879, he delivered a masterly speech on the Powers of Government, and in it showed a thorough knowledge of the political phases of the question, and exhibited a boldness of thought that showed that he had been a careful student of political history. His greatest effort, however, and that which ranked him among the best orators of the house, was on the subject of national banks. It was a speech in favor of honest money and national good faith, and was widely published at the time and commented upon by the daily press. During the fall of 1879, at the time of the congressional canvas in California, he went thither in response to an earnest invitation and assisted in the campaign, and to the efforts of no man outside the state, more than his, was due the republican victory that followed. In 1880 he delivered a famous address at Arlington cemetery on Decoration day, and there took a bold stand that endeared him to the assembled veterans, and proved to them that they would find in him a warm friend, who would leave undone nothing that could be done to secure justice to those who had risked their lives for the union. During this same year he was re-nominated for a third term to congress and elected by a majority ranking among the highest ever given any man in that district since the close of the rebellion. In social life Mr. Hazelton is a most genial com-

panion, and by his many estimable qualities has attracted to himself a host of warm friends. Of four children who have been born to him, two are now living.

Frank and outspoken, and firm in his own convictions of the right, he is ready always to maintain what he believes; and at the same time no man is readier to acknowledge a fault or make amends for a wrong. Mr. Hazelton is a fair example of perseverance, industry and self-reliance, and now, in the very prime of his powers, well illustrates what may be accomplished by hard work and a faithful adherence to an honest purpose.

EDWARD S. BRAGG, Fond du Lac, was born at Unadilla, Otsego county, New York, February 20, 1827, and is the son of Joel and Margaretta Kohl Bragg. He was prepared for college at Delaware academy, Delhi, and entered college at Geneva. In 1848 he commenced the study of law, was admitted to the bar at Norwich, Chenango county, and removed to Fond du Lac in 1850. He entered the army as captain of Company E, Sixth Wisconsin regiment; was promoted to major; to lieutenant-colonel; to colonel; to brigadier-general, in command of the celebrated Iron brigade, and he was mustered out in October, 1865. He resumed the practice of law at Fond du Lac; was elected district attorney; was chosen state senator; was appointed post-master, and was elected member of congress in 1878 and again in 1880.

GABRIEL BOUCK, Oshkosh, was born at Fulton, Schoharie county, New York, December 16, 1828. He was a son of the late William C. Bouck, a man of great prominence among the former generation of New York statesmen, and for one term governor of the state. Gabriel graduated from Union college in 1847, and began his legal studies in the office of Daniel S. Dickinson, at Binghamton. Removing to Milwaukee in 1848, he studied for some time with Messrs. Finch and Lynde, and in 1849 was admitted to the bar. Soon after he removed to Oshkosh and opened an office. In 1857 he was nominated over E. S. Bragg as the democratic candidate for attorney-general, and was successful at the election. His term included the years 1858 and 1859. In 1860 he was chosen a member of the assembly, and again in 1874, serving as speaker during the latter year.

The first notes of the war of the rebellion summoned Mr. Bouck to the service of his country. In a very few days he organized a fine

company, and tendered its services to the governor. It became the color company of the Second regiment of Wisconsin Volunteers, and he served as its captain during the early campaigns of our army on the Potomac. After the battle of Shiloh, where Colonel James S. Alban, of the Eighteenth Wisconsin, was killed, he was commissioned to succeed him and to reorganize the regiment which had suffered severe losses. He performed this task with great vigor, and continued to command the regiment during the two succeeding years. In this capacity, or as often in command of a brigade, he fought in the siege and battle of Corinth, the battles of Jackson, Champion Hills and Black River, the siege of Vicksburg and the battle of Missionary Ridge. Colonel Bouck was an unsuccessful candidate for congress by the nomination of the democratic party in 1864 and again in 1874. In 1876 he was elected a member of the forty-fifth congress, and two years later was reelected. He was again the nominee of his party in 1880, but was defeated by Richard S. Guenther.

ATTORNEY-GENERALS.

HENRY S. BAIRD, Green Bay, was born in Dublin, Ireland, May 16, 1800. His father, with Thomas Emmet and other exiles, came to America in 1804. Mr. Baird's early education was obtained in the common schools before the age of fifteen. He was an attentive student. At the age of eighteen he entered a law office in Pittsburg, Pennsylvania, and was afterward a law student at Cleveland, in the office of the late Governor Wood, of Ohio. Mr. Baird was admitted to the practice of law by Judge Doty, in June, 1823. In July, 1824, he came to Green Bay and attended the first term of court held there. He subsequently attended the first term of court held in Crawford county, at Prairie du Chien. He may, therefore, be claimed to have been the oldest attorney, professionally, in Wisconsin, and the father of the Wisconsin bar.

August 12, 1824, he returned to Mackinac, where he was married to Elizabeth L. Fisher. They returned in September of that year, and located where the Green Bay settlement then existed. He was president of the first legislative council of the Territory of Wisconsin, which was held at Belmont in 1836. Upon the organization of the territorial government he was appointed attorney-general by Governor Dodge. In 1847 he was a member of the first convention to form a state constitution, which met at Madison.

Among services of a public nature he was called upon to render, was frequent and prominent participation in treaties between the United States government and the Indian tribes, of whom he was the steadfast friend. He was president of the village board in 1853, and mayor of the city in 1861 and 1862. He was secretary to Governor Dodge at the great treaty made at Cedar Rapids in 1836, wherein the Menomonees ceded some four million acres of their country to the government of the United States. He continued in the active practice of his profession until about the year 1860; when, having secured a competence and having other business on his hands, he practically retired from practice, although retaining his connection with the bar, serving in former and later years as the honored president of the bar association of Green Bay. His death occurred April 28, 1875. He had supervision of the Astor property in Green Bay, his services as agent dating from about 1862. He was scrupulous and exact in business relations, and maintained an unimpeachable reputation for probity and faithful stewardship.

In politics he became, after the dissolution of the whig party, a republican, of which organization he always remained an ardent and active supporter. For many years he had been connected with the Masonic fraternity; and, for a period embracing a number of years, one of the most instrumental in contributing to its prosperity.

Perhaps it will not be irrelevant to the present purpose to go back to the year 1824, when Fort Howard was garrisoned by four companies of the third United States infantry. The officers and their families were educated and accomplished people, with few sources of recreation, and no social attachments outside their immediate military circle. Naturally, they readily formed acquaintance with the few families who sought a home at this their isolated place. The result was a mutual cultivation of social qualities; and to this military post, may be indirectly traced much of the politeness and affability of manner visible in the remnant of early settlers in the locality of the old fort. Among these officers and their families Mr. Baird and his young wife became great favorites, and so remained till the post was broken up in about 1852. The generous hospitality, rare politeness, and refinement of their home, has been as familiar as a household word. Senator Howe said at their golden wedding anniversary, that in coming to Green Bay they "brought the best style of Christian civilization with them and have cherished it ever since." There are two daughters who survive Mr.

Baird. Mrs. John A. Baker, of Green Bay, and Mrs. Dr. John Favill, of Madison. The State Historical Society made him vice-president of it since its organization. The memory of this just and good man will be preserved fresh and fragrant.

A. HYATT SMITH, Janesville, was born in New York city, February 5, 1814, and is the son of Maurice and May Reynolds Smith, who were natives of Westchester county, New York. The ancestors of Mr. Smith were among the first settlers of Long Island. His father dying while his son was yet young, he entered, in his early life, the law office of his guardian, James Smith, and devoted himself to the study of law seven years. At the same time he pursued his literary studies in the private academy of Boreland and Forest, then the first classical school in New York city, and completed his education at Mount Pleasant seminary, which was under the management of Reverend Samuel J. Prince. Having completed his law studies Mr. Smith was admitted to practice in the city courts of New York in the summer of 1835, and to the supreme court of the state in 1836, under rules of very strict requirement now largely abolished. He immediately entered upon a large and lucrative practice, in partnership with his former preceptors, one of whom, James Smith, retiring from the firm on account of failing health. Working unremittingly for six years so impaired his health that his physicians advised a change of climate, and accordingly he came to Wisconsin, arriving at Janesville on November 22, 1842. Here Mr. Smith at once invested in real estate, and in companies to improve the excellent water power at that place, which laid the basis of the future prosperity of this fine inland city.

In the summer of 1846 Mr. Smith, a democrat, was elected, in a whig district, to the first constitutional convention, and in 1847 he was appointed by Governor William Dodge, attorney general of the territory, and held the office until the state was admitted into the Union. In 1848 he was appointed United States attorney by President James K. Polk, and held the office until General Z. Taylor became President. He was the first mayor of the new city of Janesville in 1853, and again in 1857. For many years he was a regent of the State University. Mr. Smith is widely known as closely identified with plank road and railroad projects of early days in the state, in which he sank a fortune, and made innumerable enemies, but has lived to see his early railroad plans mainly

brought to fruition by other men at a later date. Subsequently he built the Hyatt House, a large hotel at Janesville, which was, eventually, burned January 1866, as did his mill in 1871. He then moved his business to Chicago, opened a law office with a valuable library, only to meet destruction in the great conflagration in that city of 1871, together with all his valuable papers, of which his safe was no protection.

Mr. Smith was made a Mason at Janesville in 1847, has been master of the lodge, assisted in organizing a chapter of Royal Arch Mason, at Janesville, and elected to the order of Knights Templar, but not wished to be installed. He also aided in organizing a Temple of Honor at Janesville, has always been an Episcopalian and a democrat. He married Miss Ann Margaret Cooper Kelley in New York, on April 4, 1838, and has five surviving children. Mr. Smith has passed a long life of surpassing activity, enterprise and indomitable energy, has been a man of mark, clean moral character, and, in his declining years, still hale, hearty and cheerful.

JAMES S. BROWN, Milwaukee, was born in Hampton, Maine, February, 1824, and came to Milwaukee in 1844, where he commenced practice. In June, 1848, he was elected the first attorney-general of the state, and served to January 1, 1850. In 1861 he was mayor of Milwaukee, and in 1862 was elected member of congress, and served one term. He died in Milwaukee, April 16, 1878.

SQUIRE PARK COON, Chicago, was born in Alexander, New York, about 1820. He was educated at the Alexander Academy, and Norwich University, Vermont. He early settled as a lawyer in Milwaukee, and in the autumn of 1849 was chosen attorney-general on the ticket with Governor Dewey, serving during 1850 and 1851. In 1861 he was appointed, by Governor Randall, colonel of the Second Wisconsin regiment; but owing to some misunderstanding, he soon retired from his command. At Bull Run battle, Colonel Coon served with distinction as a volunteer aid to one of the generals on the field.

EXPERIENCE ESTABROOK, Omaha, was born in Lebanon, New Hampshire, April 30, 1813; studied law, and was admitted to the bar; came to Wisconsin, and located at Geneva; was member of the second constitutional convention; was attorney-general of the state during the

years 1852 and 1853; removed to the territory of Nebraska, from whence he was delegate to congress, and is now a resident of Omaha.

GEORGE B. SMITH, Madison, was born at Parma Corners, Monroe county, New York, May 22, 1823. His mother died while he was yet an infant, and in the year 1825 he removed with his father to Ohio, where most of the time, until the year 1843, he lived in Medina. In the latter year he came with his father to Kenosha, in this state, then known as Southport. He had pursued the study of the law at Medina and Cleveland in Ohio, and on July 4, 1843, was admitted to practice at Racine, in the United States district court, A. G. Miller presiding. August 29, 1844, he married Miss Eugenia Weed, and settled in Madison, where he resided and practiced law until his death, which occurred September 18, 1879, leaving a wife, a son and daughter. He was attorney general of the state for 1854 and 1855.

"Though a young man when he came to this state, he at once took a leading prominent part in public affairs, which he continued to take through all of his active life, holding many offices of honor in the state. He was a member of the first constitutional convention, attorney-general of the state, four times mayor of the capital city, many times represented his district in the state assembly, and was twice a member of national conventions. He twice received the support of his party for representative to congress, and once as a candidate for the United States senate, only failing in each case because his party was in the minority." "Politically he was strongly attached to the democratic party, and clung to its fortunes through good and through evil report, with all the strength of his strong nature. In all contests he was a conspicuous champion and a conspicuous target. He was singularly free from personal ill feeling, and at the close of a busy and somewhat turbulent life, he died with malice toward none, with charity for all. It may be said of him that he did not possess in the highest degree the power of close analytical reasoning, or the severe logic which the discussions of dry questions of law sometimes require. But he was fluent and persuasive, and sometimes truly eloquent. His general intelligence was of a high order, but he was not distinguished for close logical power. His reading was discursive. He could not properly be called a scholar even in his profession. His arguments in court were not always remarkable for their learning; but he discussed no subject in or out of court on which his great intelligence did not throw great

light. He was essentially an orator, always self-possessed, always self-reliant. His mental resources were great, and were always at command. Altogether he was an admirable advocate, with not many equals, with few superiors among the great advocates of our profession."

WILLIAM RUDOLPH SMITH, Mineral Point, the eldest son of William Moore Smith, was born at La Trappe in Montgomery county, Pennsylvania, on the 31st day of August, 1787. The family removing to Philadelphia in 1792, he was placed at school under the tuition of Mr. James Little and his ushers, this being at that time the largest and best preparatory school in the city. In 1799 he was placed in the Latin school of the Reverend James McCrea, but soon afterward the whole care of his education was assumed by his grandfather, William Smith, D.D., who received him into the old family residence at the Falls of Schuylkill, where he remained under a rigid course of instruction until April 1803, when, as private secretary, he accompanied his father to England, the latter being one of the commissioners, under the sixth article of the Jay treaty, to adjust and settle the demands of the British claimants. During their protracted residence in England the father and son traveled much together at various times, journeying along the south coast from Dover to Falmouth, visiting all points of interest in the interior of the south and west, and making frequent and extended journeys into other parts of the kingdom. In London, their time was agreeably spent at the houses of many friends, and particularly at the house of Charles Dilly, Queen's square, so often mentioned by Boswell, in his *Life of Johnson*. Mr. Dilly took great satisfaction in showing to his guests the arm chair in which Dr. Johnson always sat at his table, and where he enjoyed himself, perhaps, more than at any other house in London. It was at this hospitable table that Dr. Johnson met with, and learned to tolerate, the great radical leader John Wilkes. In Mr. Dilly's house, the young secretary had the gratification to meet with the venerable Pascal Paoli, with Richard Cumberland, with a brother of James Boswell, and with many of the literary celebrities, and other notarieties of the day. Benjamin West, the president of the Royal Society, in his friendly attentions to the father and son, did much to repay the obligations which, in his early life, he owed to his friend and patron Dr. William Smith. In the house of Mr. West, in Great Newman street, and in the picture gallery, young William R. Smith met and

formed friendships with many of the great painters and artists of England, as well as of the continent, for in those stirring times London was the city of refuge for all classes of emigrés and refugees, seeking safety from the whirlwind of strife then sweeping over every country in Europe. George Cadondal, the great Vendean chief, and General Pichegron, both afterward concerned in the attempt to assassinate Napoleon, were among the acquaintances thus formed. These London days, teeming with recollections of Sarah Siddons, John and Stephen Kemble, of George III, the crazy old king, to whom he had been presented at court, of the Prince of Wales, and Beau Brummel, and of the soldiers and statesmen who were then shaping the destiny of the civilized world, formed the solace of many an hour in after years, and incidents of this period, remembered and related in his inimitable manner, were the delight of three successive generations of listening friends.

His father intending him for the bar, young William R. Smith, during his residence in England, commenced a preparatory course of study under the direction of Thomas Kearsley, of the Middle Temple, and from this period until the autumn of 1808 he was a diligent student of the law; for the first two years after his return to America, under the direction of his father, and afterward, in the office of James Milnor in Philadelphia. In after years, Mr. Milnor removed to New York, and, having taken orders, became a distinguished minister of the Episcopal church. In 1808 Mr. Smith was admitted to the bar in Philadelphia, his examiners being Richard Rush, Thomas Ross and Peter A. Browne; the judge was Jacob Rush. The following year he removed to Huntingdon, Pennsylvania, a town laid out by his grandfather, and named in honor of his friend Selina, Countess of Huntingdon.

Having entered into the practice of his profession, and feeling therefore settled in life, Mr. Smith was, on the 17th of March, 1809, married to Eliza Anthony, of Philadelphia, who was descended on the father's side from the Rhode Island family of that name, and on the mother's side from Michael Hillegas, the treasurer of the United States during the revolution. For the ensuing eleven years Mr. Smith led a busy life, assuming at once a leadership in his profession, and becoming extensively known as one of the profoundest lawyers in the state. In 1811 he was appointed, under Walter Franklin, deputy attorney-general for Cambria county; was reappointed to the same office by Richard Rush, and in 1812 was again reappointed by Jared Ingersoll, the

of his writings and of his forensic displays is attributable to his familiarity with classical models, and with the spirit and energy of the ancient masters. His education in all the departments of learning which he pursued was thorough; his intellectual and moral discipline was excellent, and his naturally vigorous and well balanced mind emerged from its period of training well equipped and prepared for the entrance upon his professional studies, and for the emergencies and duties of business and of life.

Upon leaving the University, in 1846, he took charge of a private school at Monroe, Michigan, which had been his home since 1833. The next year he retired from his school, and assumed the duties of private tutor to a few advanced scholars in the classics, which afforded him time for the study of the law, which he then began. In 1848 he entered the law office of Isaac P. Christiancy, afterward justice of the supreme court of Michigan, and United States senator, where he applied himself with diligence and enthusiasm to the acquirement of legal learning and of proficiency in the practical duties of the profession which he had chosen for his career. He remained in Judge Christiancy's office until October, 1849, when he removed to Milwaukee, where he has since resided. There he entered the law office of Emmons & Van Dyke, then having a high standing among the law firms of the Northwest, where he further pursued his legal studies and entered upon the practice of law in the local courts. In 1850 he was admitted to practice in the supreme court of Wisconsin, and in 1851 he opened an office of his own, and practiced law generally alone for four years afterward, during which time he formed the acquaintance of the leading men of the state, in business, in politics, and the various professions, and was a conspicuous member of a large circle of able and ambitious young men who were then laying the foundation of future careers of activity, honor and usefulness. It was during this period that his character fully ripened and formed; habits of sobriety and industry bore their legitimate fruits; and his reputation for ability and integrity in his profession, and for personal worth, was established. In 1855 he formed a law partnership with Edward Salomon, afterward governor of the state, which continued for fifteen years, at the end of which time, Governor Salomon removed to New York city and made his residence there. This was a prosperous and successful period in Mr. Smith's life, and he took rank among the foremost members of the bar and public men of

West. Instantly, almost, he resolved to be one of that earnest band of pioneers who, turning heroically from the ease and comfort of their eastern homes, willingly encountered all the hardships of a frontier life in order to contribute the treasures of their learning and experience to the great work of formulating the legislation and shaping the destiny of these new states of such glorious promise. His letters to his brother, Richard Penn Smith, afterward published in Philadelphia under the title of *Observations on Wisconsin Territory*, are filled with glowing descriptions of this paradise for farmers. That the magic beauty of the scenery deeply touched his poetic nature, may be witnessed by the following lines dashed off in a moment of tender recollection :

All hail Wisconsin! prairie land,
In summer decked with flowers,
As scattered by some fairy hand,
'Mid sylvan shades and bowers.

Thy soil abundant harvests yields,
Thy rocks give mineral wealth,
And every breeze that sweeps thy fields
Comes redolent of health.

Perennial springs and inland seas
Give other beauties zest,
Long may thy dwellers live in ease,
Gem of the fertile West !

Returning to Pennsylvania, General Smith, in 1838, removed his family to Wisconsin and settled in Iowa county, at Mineral Point. In 1839 he was appointed adjutant-general of the territory of Wisconsin by Governor Dodge, which office he held under successive administrations for about twelve years. He also received from Governor Dodge the civil appointment of district attorney of Iowa county, retaining this office also for many years. In 1840 he presided over the first democrat convention that assembled at the seat of government of Wisconsin territory, and he drafted the address sent forth by that body to the people. He was elected secretary to the legislative council of Wisconsin, and in 1846 was elected delegate to the convention to form a constitution for the State of Wisconsin. The journals of that convention show that General Smith either originated or gave most earnest support to many of the legislative reforms that have since become law in Wisconsin, and have been widely adopted in other states of the Union;

health, made the tour of Wisconsin, visiting many of his old friends in the northern and eastern part of the state; then he proceeded to Quincy, in the State of Illinois, to visit his youngest daughter, Mrs. Robert H. Deaderick, residing in that city, and there, in the fullness of years, this long and brilliant life came to a quiet and peaceful close.

General Smith during all his life was an active and prominent Freemason, passing through all the degrees of that order from the blue lodge to the royal arch chapter. He had been grand master of the State of Pennsylvania and was several times made grand master of the grand lodge of Wisconsin. He had a singular love and veneration for the order whilst he lived, and he was buried with masonic honors in Mineral Point, August 26, 1868. A stately masonic monument now marks his resting place.

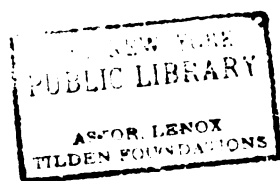
WINFIELD SMITH, Milwaukee, is a native of Wisconsin, having been born at Fort Howard, where his father, Captain Henry Smith, was stationed in the military service, August 16, 1827. He was named after General Winfield Scott, of whose military family his father was a member for five years, and his father also saw arduous service in the Black Hawk war, and in the subsequent war with Mexico, and died of yellow fever at Vera Cruz in 1847. His mother was Elvira Foster, who resided in early life at Watertown, New York, and who was a woman of high culture and possessing the most attractive traits of female character. His parents were both members of educated and refined New England families, and he inherits, in a marked degree, their strong yet elastic mental fiber, a conscientious devotion to his convictions, and their physical vigor and stamina.

His education was the subject of particular parental care. His preparatory studies were continued till 1844, when he was in his seventeenth year, and he then entered an advanced class in Michigan University, and graduated two years afterward from that institution with a high rank. While at the university, he developed a remarkable aptitude in the science of physics and in mathematics, and he displayed great skill in these branches of study. His progress in the classics was equally striking, and he had also acquired proficiency in French, which he learned in a private family in Watertown, New York, in 1840. He began the study of German in Milwaukee, in 1851, and he reads and speaks both languages with fluency and correctness. Much of the force and polish

of his writings and of his forensic displays is attributable to his familiarity with classical models, and with the spirit and energy of the ancient masters. His education in all the departments of learning which he pursued was thorough; his intellectual and moral discipline was excellent, and his naturally vigorous and well balanced mind emerged from its period of training well equipped and prepared for the entrance upon his professional studies, and for the emergencies and duties of business and of life.

Upon leaving the University, in 1846, he took charge of a private school at Monroe, Michigan, which had been his home since 1833. The next year he retired from his school, and assumed the duties of private tutor to a few advanced scholars in the classics, which afforded him time for the study of the law, which he then began. In 1848 he entered the law office of Isaac P. Christiancy, afterward justice of the supreme court of Michigan, and United States senator, where he applied himself with diligence and enthusiasm to the acquirement of legal learning and of proficiency in the practical duties of the profession which he had chosen for his career. He remained in Judge Christiancy's office until October, 1849, when he removed to Milwaukee, where he has since resided. There he entered the law office of Emmons & Van Dyke, then having a high standing among the law firms of the Northwest, where he further pursued his legal studies and entered upon the practice of law in the local courts. In 1850 he was admitted to practice in the supreme court of Wisconsin, and in 1851 he opened an office of his own, and practiced law generally alone for four years afterward, during which time he formed the acquaintance of the leading men of the state, in business, in politics, and the various professions, and was a conspicuous member of a large circle of able and ambitious young men who were then laying the foundation of future careers of activity, honor and usefulness. It was during this period that his character fully ripened and formed; habits of sobriety and industry bore their legitimate fruits; and his reputation for ability and integrity in his profession, and for personal worth, was established. In 1855 he formed a law partnership with Edward Salomon, afterward governor of the state, which continued for fifteen years, at the end of which time, Governor Salomon removed to New York city and made his residence there. This was a prosperous and successful period in Mr. Smith's life, and he took rank among the foremost members of the bar and public men of





the Northwest. In 1862 he was appointed by Governor Salomon, attorney-general of the state, to fill out the unexpired term of J. H. Howe, who had resigned that office to enter the military service, and in 1863 he was elected by the people for a full term in the same office, which expired January 1, 1866. He discharged all the duties of this office with studious zeal and deliberate care, and in its round of severe labors, his ability and professional learning were brought into active exercise. Among the most useful and productive of these labors, was his investigation of the claim of the Rock River Canal Company against the state, and his report to the commissioners appointed to ascertain and settle this alleged liability of the state to the claimant. This report was so complete in all its facts and arguments, that it annihilated the grounds on which the claim of the canal company was based, so that it was never revived against the state, and it led to a subsequent adjustment between the general government and the company, in consequence of which, over three hundred thousand dollars, long withheld from the state treasury by the general government awaiting the settlement of this claim, was paid over to the state.

Mr. Smith served for over ten years as United States commissioner and master-in-chancery, and it was during this period that the fugitive slave riots, including the Glover rescue, and the prosecutions of the famous S. M. Booth and John Rycraft occurred, in which he was called upon to act officially in the inquiry as to their participation in the rescue. He discharged these unwelcome duties, consistently with his oath, faithfully and honestly, and of course he did not escape censure from the most bitter enemies of the law. His sense of official rectitude, however, and his fidelity to his convictions of duty did not permit him to swerve from the strict line of his legal obligations in obedience to impulses of personal sympathy. His intimate friend, Byron Paine, afterward judge of the supreme court, was one of the defendants in proceedings instituted before Mr. Smith. Subsequent events vindicated his course. He was not required to await the long course of years to meet his justification before the people, and the popular majority, by which his appointment at the head of the law department of the state government was ratified and he was continued for another term in discharge of its duties, was greater, with a single exception, than was ever cast for a candidate for that office.

Mr. Smith was elected from the district in which he lives, a member

of assembly for 1872, and was appointed chairman of the committee on the judiciary, and was one of the ablest debaters and leading jurists in that body, and the legislation of that year bears the marks of his wisdom, his care, and his enlightened skill in the science of public law. In 1876 he was tendered the appointment of United States district-attorney to succeed Judge Levi Hubbell, whose resignation had created a vacancy in that office, but he declined the position.

Mr. Smith's business and professional associations, since the dissolution of his partnership with Governor Salomon, have been as follows: He practiced law in partnership with Joshua Stark, under the firm of Smith & Stark, from 1869 till 1875. During the latter year he became associated with the late Mathew H. Carpenter and A. A. L. Smith, under the firm of Carpenter & Smiths, which continued till Senator Carpenter's death, when the surviving partners formed a partnership as Winfield and A. A. L. Smith, which still continues in active professional practice. He is, at present, also president and a large stockholder in the Cream City street railway, and his business standing and reputation for integrity are such, that he has been repeatedly selected as trustee of estates and other property interests, including membership in the boards of several public corporations. His clients are numbered among the men of highest business standing in the city and state, and his practice has included the most important and intricate cases in the courts. His law practice has been in strictly legitimate directions, and his standing at the bar is unequivocal, and he is among the ablest and best members of the profession. He has accumulated a moderate competence, and is regarded as one of the most substantial citizens of Milwaukee and the state.

Among the many important law and jury cases tried by Mr. Smith, two may be mentioned as of special note. The first is the celebrated draft riot case, so called, growing out of the enforcement of the draft in Ozaukee county during the late war. This case involved the constitutionality of the acts of congress authorizing the conscription of citizens, and their enrollment in the military service of the government, and the lawful powers of the governor of the state in executing the act. The events connected with this case are among the most striking in the history of the state, and formed a crisis in the existence of the state and national government. Party feeling ran high at the time, and all the occurrences of the period attracted the anxious attention of all parties

and all classes of society. On the final appeal of the case to the supreme court, all the acts of Governor Salomon in enforcing the draft, including the arrest of recalcitrant citizens and their imprisonment in the military camp at Madison, were declared to be constitutional and in pursuance to law, and the power of the government for its own preservation was fully sustained. Mr. Smith exhibited a complete mastery of all the features of this case, and his success in the final decision of the supreme court was due to the close study, careful arrangement and full preparation which he had made for the trial, and to the principles of law and justice on which he bases his pleadings and argument. Another case notable from its importance and from the connection of Mr. Smith with its various stages, grew out of the controversy between the stockholders of the old Milwaukee and Prairie du Chien railroad company and the old Milwaukee and St. Paul railway company, in which the latter giant corporation was enjoined from absorbing and destroying the former company until the rights and interests of its stockholders were protected by a satisfactory and equitable compromise. The national importance of the draft riot case, and the vast pecuniary interests involved in the latter, greatly enhanced Mr. Smith's reputation at the bar, led to an increased practice and to retainers in some of the most important litigation of the period.

In politics Mr. Smith is of democratic antecedents, but he separated from that party during the events attending the repeal of the Missouri compromise, and has been an earnest and consistent republican from the first presidential campaign of that party. During the war his patriotic speeches and articles contributed to the press, greatly aided in stimulating enlistments and in the formation of a highly wrought public opinion, which was necessary to sustain at home the principles and objects for which our armies were fighting in the field. The value of his labors in this direction was such, and they were so zealous and fruitful, that he was induced by his friends to abandon his expressed intention of entering the military service.

Mr. Smith's name has been repeatedly mentioned in connection with high judicial positions, but it has not been at such times as he found it consistent with other duties and important interests to retire from active practice and business pursuits. When Judge A. G. Miller, and afterward when Judge James H. Howe resigned the judgeship of the United States district court, he was strongly urged to accept the vacant place.

At the death of Chief Justice Ryan, in 1880, he was again urged to become a candidate for the chief justiceship, and in 1881 it was the almost unanimous wish of the bar and the public that he should accept a republican nomination, or be an independent candidate for circuit judge, to succeed Judge Small, whose term was to expire in that year. For the reason given, he was unable to accept the proposed honor in either of these instances, but doubtless the future, at a proper and acceptable season, will open a way for him to the elevation which he is so well qualified to occupy and adorn.

Mr. Smith, through his New England parentage, is of Scotch Irish descent, and possesses the mental and personal characteristics of this combination of races. He has persistence, keenness, determination, self-reliance, a conscientious independence of thought and action, strong religious convictions, and sufficient imagination to warm and illumine his other qualities and to complete his harmonious intellectual development. He has an analytic mind; he considers every subject thoroughly to which his attention is directed; he takes nothing for granted; he demands the reason of every proposition addressed to his understanding. He does not form opinions suddenly or by impulse, his beliefs are the fruit of ripened and intelligent study, and are based upon all the facts which can be brought to his knowledge. His sincerity, candor and directness are marked traits of character; his word is regarded by himself and by all to whom it is given as inviolable, and he enjoys the unlimited confidence and respect of all who know him, in all the relations of life.

In a work like this some allusions to the social and domestic life of the individuals whose careers it describes are admissible and of interest, but elaborate details of home and private relations are not expected. Mr. Smith has been a communicant of the Protestant Episcopal church since his boyhood, and has been a member of St. Paul's church during his residence in Milwaukee. His domestic relations are uncommonly, and in the highest degree, pleasant, and he has cultivated throughout his life the temper and qualities which render the fireside and family circle delightful. He has an amiable and accomplished wife and six children, of whom the two eldest, a son and a daughter, are happily married and reside in Milwaukee. He loves music and is an amateur performer on some musical instruments. He is a very skillful chess player, probably among the very best in Milwaukee. He is fond of



flowers, and never permits himself to be so engrossed in business cares that he cannot spend some time daily in his conservatory. He has a sunny and cheerful disposition and a fine and graceful humor, which enliven his domestic and social intercourse, and are never at fault for the inspiration of a pleasant word or simile in conversation, which make him a genial companion and lighten his hours of study and care, which enliven his forensic arguments while adding to their interest and force, and which are an unbought beauty in his daily life. He has troops of friends, and there are few men to whom a wise and gracious providence has allotted such ways of pleasantness and paths of peace as have been those in which he is permitted to walk.

CHARLES R. GILL, Madison, was born in Winfield, Herkimer county, New York, August 17, 1830. His parents were David and Nancy Clark Gill, and he removed with them to a farm in Genesee county in 1843. Here he worked on the place, attended school, and taught alternately, until becoming of age, when he entered upon the study of the law, and in September, 1854, was admitted to practice. In the same month he was united in marriage with Martha A. Laneton, and together they came immediately to Wisconsin, and located at Watertown, where he at once opened a law office. At first he had a hard struggle for business, but finally met with excellent success. During the early years of his residence at Watertown he was elected superintendent of schools, and served three consecutive terms, and was afterward elected police justice, which office he resigned after nine months' service, as interfering with his regular law business. In 1859 he was elected to the senate as an independent over two other candidates who were regular party nominees. He was then less than thirty years of age, but took a leading part in favor of sustaining the general government in its war measures of 1861. Immediately after the close of the extra session of the legislature of that year, senator Gill recruited a company, was elected its captain, and upon the organization of the twenty-ninth regiment, to which his company was assigned, he was commissioned its colonel. With it he fought at Vicksburg, Port Gibson, Champion Hills, and other engagements with credit. Prostrated by the arduous duties of the field, to the extent of unfitting him for active service he resigned June 27, 1863, returned home, and after a partial recovery, resumed the practice of his profession.

In 1865 Colonel Gill was elected attorney general of Wisconsin on

the republican ticket, and served two terms. He was appointed attorney of the United States in 1875, to take charge of the legal interests of the general government in the Fox and Wisconsin river improvements, and held the office until January 1876, when he was appointed commissioner of pensions. Proceeding to Washington, he entered upon the duties of the office, but in a few months his health compelled him to resign. He then resumed practice in Madison, and is residing on a homestead in the suburbs of the city. Entering upon a professional and political career early in life, Colonel Gill has for many years been prominently before the public in both capacities, and has acquitted himself with credit and honor.

S. S. BARLOW, Baraboo, has been a man of note in the state, having been member of the assembly, subsequently of the senate, and attorney-general two terms during the administration of Governor Fairchild. He has now retired from active practice, in which he is succeeded by his son located at Baraboo.

ALEXANDER WILSON, Mineral Point, was born at Westfield, Chautauqua county, New York, August, 1833, and graduated at Union College, Schenectady, New York, in 1854. In the winter of 1854 and 1855 he taught school at Huntley Station, Illinois, for four months, and in the spring of 1855 went to Dubuque, Iowa, where he continued the reading of law in the office of Crozier & Hawthorne, and in the summer of 1855 went out on a public land survey, about thirty miles west of Fort Dodge in Iowa, and in the fall helped survey a preliminary line for a railroad from Dubuque to Independence. This substantially ended his work as an engineer. In November, 1855, he was admitted to the bar at Dubuque, Iowa, and went from Dubuque to Mineral Point, Wisconsin, and engaged to teach in the public schools at that place, and taught there until the winter of 1859 and 1860. While teaching he read law in the office of Cobb & Messmore, and commenced the practice of law in the fall of 1860. In the spring of 1860 he was elected superintendent of schools for that city, and was a member of the board of education for several years. Was elected district attorney of Iowa county in the fall of 1860, again in 1864 and in 1866. In 1867 he resigned the office of district attorney, and was appointed county judge December 9, 1867, and held that office for about two years. He was county school superin-

tendent in the year 1864. In the fall of 1877 Mr. Wilson was elected attorney general of the state, and reëlected in 1879, which office he filled to universal satisfaction.

LEANDER F. FRISBY, West Bend, was born June 19, 1825, in Mesopotamia, Trumbull county, Ohio. His father, Lucius Frisby, was a native of Vermont, but removed with his family to Ohio in 1817, where he settled on a farm, and followed the occupation of a farmer for over thirty years. Although of limited early education, he possessed strong native talents, and kept well posted on all the topics of the day. His grandfather, on both his father and mother's side, were soldiers in the revolutionary war. His mother, whose maiden name was Lovina Garry, was also a native of Vermont. She is still living at the ripe old age of ninety years, and has been, for eighteen years past, a member of the family of the subject of this sketch. She still retains those indelible traces of pure and intellectual womanhood which were so characteristic of the American mothers of the last generation, and which have done so much to mould the best phases of American character.

Leander, in his early years, worked upon his father's farm during the summer months, and attended the neighboring district school for the short space of three months during the winter. At the age of eighteen, with the consent of his parents, he left home and learned the trade of a wagon-maker. From his boyhood he showed a fixed determination to obtain an education, and devoted all his leisure hours, while learning his trade, to reading and study. After becoming sufficiently skilled in his trade to earn wages, he commenced a course of study at Farmington Academy, in his native county, a school of considerable local fame, where he paid his board and tuition by working at his trade out of school hours, for a wagon-maker. He remained there three terms, and out of some hundred and fifty students, when he left he ranked among the best. He taught school one winter after leaving the academy, for the purpose of replenishing his wardrobe and obtaining money to go west, where he intended to teach for a time and return again to his studies. He took passage from Cleveland on the second day of September, 1846, and landed at Sheboygan, about the fifth, and thence went to Fond du Lac. The fall of 1846 will be remembered by the old settlers of Wisconsin as the sickly season, and within two weeks from his arrival he was taken sick with chill fever, which kept him disabled till far into the

winter. When he had so far recovered as to be able to work, the schools were all taken, and being in destitute circumstances he sought work at his trade. He found, however, upon application to the only wagon makers in his vicinity, that they had not work sufficient for their own employment; and rather than remain idle or to encroach upon the generosity of friends, he entered a cooper shop, as the only place where he could obtain employment, and worked two months diligently, receiving as wages only his board, which was the agreement he had made with the proprietors at the time he began work; in the meantime seeking work at his trade through correspondence with other parts of the surrounding country. In March, 1847, receiving a favorable reply from a wagon maker by the name of Craig, of Beaver Dam, he borrowed fifty cents from a friend and started on foot for that place, paying his borrowed money for his supper and lodging at a small tavern on the east side of Rolling Prairie. A deep snow having fallen during the night, he traversed Rolling Prairie and the last ten miles over an unbroken road, reaching his destination at noon of the second day, not having tasted breakfast. Here he commenced work at his trade for Mr. Craig, and continued in his employ until the latter part of June. This was the first glimmer of of sunlight which had dawned upon his pathway since leaving his native state. The long, sad, weary days of sickness, hardships, trials and despondency spent during the fall and winter at Fond du Lac cannot be portrayed or comprehended by one who has not tasted of the same bitter fruit, and it would be but a sad failure to attempt it. In the summer of 1847 he went to Janesville, where he also worked at his trade in the shop of a Mr. Curber. During all this time, however, he never lost sight of his original object, and spent every moment which he could spare from his labors, in hard, earnest study of such books as were at his command.

In the fall of 1847, having retrieved himself from his financial embarrassment by hard and incessant toil at the bench, the darkness and gloom which had at first overshadowed his pathway in the then far west, was lifted, and the beauties of the prairie west presented themselves to him in a new light, which induced him to abandon his first intent of returning to the east, and he resolved to engage in teaching as the best adapted to enable him to pursue his studies. Commencing in the fall of that year, he taught nine months at Spring Prairie Corners, in Walworth county, to the entire satisfaction of the community, who

would have gladly retained him another year; but thinking he could do better by teaching an academical school at Burlington, Racine county, in September, 1848, he opened such a school in the old Burlington Academy building, where he continued to teach until the summer of 1850, in the meantime pursuing the study of law and spending the summer vacations of 1849 and 1850 in the law office of Blair & Lord at Port Washington, now in Ozaukee county, where he was admitted to the bar in the fall of the latter year. As a teacher he was eminently successful, and built up a school at Burlington which was largely patronized, and held in high esteem by the people of that place.

On the first of October, 1850, he located at West Bend, in contemplation of its becoming the county seat of Washington county, where he has ever since resided. For two years the county seat contest raged, and the growth of the little village of West Bend remained nearly stationary, and but little business found its way into his office. He, however, pursued his studies vigorously, teaching the village school during the winters of 1850, 1851 and 1852, attending to his little law business evenings and Saturdays. When the division of the county, in the winter of 1853, and the establishment of the county seat of the new county at West Bend took place, a new era dawned upon the young disciple of Blackstone, and from that time his course was onward and upward. In the fall of 1853 he was elected the first district attorney of the new county of Washington, and performed the duties of the office with marked energy and success. In 1854 he was one of the secretaries of the first republican state convention held in Wisconsin, at Madison, July 13 of that year. In 1856 he was appointed county judge of Washington county, by Governor Bashford, to fill out an unexpired term; in 1860 was a delegate to the national convention held at Chicago, which nominated Abraham Lincoln, and was one of its acting secretaries; in the fall of 1860 was elected to the state legislature in an intensely democratic district, was a member of that body at the breaking out of the late civil war, and was chairman of the judiciary committee at its special session in June, 1861; in 1868 he was the republican nominee for congress in the fourth district, against Charles A. Eldridge, and though defeated, he polled much the largest vote ever cast for a republican in the district; the same year he was one of the republican presidential electors, and in 1872 was a delegate to the republican national convention which renominated General Grant: the

From the day when he began to take an interest in national affairs he was an earnest and uncompromising opponent of human slavery. It has been, however, as a lawyer, that Mr. Frisby has made himself prominent in the history of Wisconsin.

In 1854 he formed a law partnership with Jolin E. Mann, the present county judge of Milwaukee county, which continued till Mr. Mann was elected judge of the third circuit in 1859. He soon thereafter formed a copartnership with Paul A. Weil, and in 1874 S. S. Barney was taken into the firm, and remained therein till the fall of 1879, when the old firm of Frisby & Weil was again resumed. He has now been in the active practice of his profession for thirty years, and for the last twenty years has enjoyed an extensive and lucrative business. Mr. Frisby is regarded throughout the state as an able lawyer in all branches of the profession. He is an earnest and successful advocate before a jury, and has been eminently successful as a jury lawyer. As an equity lawyer he has had much experience, and his opinion in matters arising under that branch of the law can pretty safely be relied upon. His industry in the work of his profession is extraordinary, and is a subject of universal remark among his friends and acquaintances. This, together with a naturally judicial mind and remarkable perceptive faculties, has placed him in the front ranks among the lawyers of Wisconsin. In 1854 he was married to Miss Frances Rooker, of Burlington, Racine county, Wisconsin, they being now comfortably situated in a pleasant home in West Bend, having a family of five children, two of whom, Miss Alice and Miss Almah, graduated with honor at the Wisconsin State University, in the class of 1878.

Judge Frisby was nominated on the republican state ticket in 1881, for attorney-general, and was elected, running far ahead of his ticket in his own village and county, which is another oft-repeated evidence of the esteem in which he is held by those who know him best.

Mr. Frisby is tall and commanding in figure, pleasant and affable in address, and owing to constant temperate habits his faculties are remarkably clear and vigorous. Many years of usefulness are evidently before him, full of honor and profit, both to himself and to the large circle of friends and acquaintances by whom he is surrounded.

SECRETARIES OF STATE.

PETER DOYLE, Prairie du Chien, is a native of Ireland, having been born at Myshall, county of Carlow, December 8, 1844. His parents came to Wisconsin when he was six years old, and settled at Franklin, Milwaukee county, his father engaging in agricultural and mercantile pursuits. Mr. Doyle enjoyed the advantages of a full and thorough education. He taught school for a short time in Milwaukee, but desiring to adopt the profession of law, entered on its study in the office of Butler & Cottrill in that city, where he remained about two years. In 1865 he went to Prairie du Chien, engaging in railway business. When that place became a city in 1872, the dominant party nominated Mr. Doyle as first mayor, which he declined. The next fall he was elected member of the assembly for Crawford county, and was prominent at the ensuing session of the legislature, taking part in the discussion of the principal measures proposed.

In the fall of 1873 his name was placed on the reform ticket for secretary of state, and he was elected. In 1875 he was reëlected, thus filling the office for four years, after which he declined to be a candidate. As secretary of state he was also ex-officio auditor, and commissioner of insurance. The manner in which secretary Doyle discharged the duties of his office is thus referred to in the Wisconsin volume of the United States Biographical Dictionary, published in 1877: "No man has ever occupied the department of the secretary of state, who has displayed a better knowledge of its duties, or greater ability or honesty in their discharge, than have characterized the Honorable Peter Doyle. Though comparatively a young man, being but little more than thirty years of age, he shows a maturity and wisdom in his action upon public affairs which give the impression of his being a much older man than he really is; and his official action has the discretion, dignity and sobriety which belong to advanced years. He is a thorough man of business, a well read lawyer and a scholar of ripe acquirements. He is really one of the ablest men in public life in the state. His reports and the part which he has taken in the administration of the state finances are evidences of the thorough fitness and great capacity which he brought into the office. The vigor with which he discharges all the duties which the law places upon him, and the laborious care which he bestows not only on the larger but the minor details of business are such as have not been surpassed even by the most industrious and experienced of his predecessors."

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After Mr. Doyle's retirement from official position he visited Europe, traveling in the British Isles and also in France, Italy, Austria, Germany and Belgium. Although for some time a member of the bar, soon after his return from his travels he entered Yale College, for the purpose of reviewing his legal studies before commencing the practice of law. He remained there about a year, during which time he attended lectures in other departments, especially that of philosophy, in addition to keeping up with the legal course. At the close of the term he received the degree of Bachelor of Laws, being one of the first of those who obtained the honors of the college for the highest standing at the graduating examination. In the publication already referred to we find the following reference to Mr. Doyle, written by the author of that work :

"Mr. Doyle is upward of six feet in height, of well developed form, and is capable of enduring much physical and mental labor. He is dignified in appearance and deportment, but is modest and unassuming, and has a high appreciation of real merit. He deliberates carefully, and acts with promptness, energy and decision. Sincere and honest in his convictions, and earnest in the advocacy of his principles, he looks only to that which he believes to be right, disregarding mere expediency. He is a forcible writer and speaker, is clear in his views, logical in argument and classical in style. He is fond of poetry, and is familiar with many of the works of the English and German poets, as well as the ancient classical authors. Politically he favors the largest degree of personal liberty consistent with the welfare of society, and is strenuously opposed to interference by the state in matters pertaining to individual right or private conscience." In religion he is a Catholic, and to this faith he has always adhered in profession and practice. The accompanying portrait was taken at the close of Mr. Doyle's course at Yale. He intends to commence the practice of law the present year, business engagements and official life having prevented his doing so sooner.

JOHN SCOTT HORNER was born at Warrenton, Virginia, December 5, 1802. He graduated at Washington College, Pennsylvania, in 1819, and practiced law in Virginia until 1835, at which time he was appointed by President Jackson secretary and acting governor of the territory of Michigan, which included Wisconsin. On the formation of Wisconsin into a territory he was appointed its secretary, and subsequently acted as register of the land office at Green Bay thirteen years, and judge of

probate four years for the counties of Marquette and Green Lake. The venerable governor is passing the decline of his active and useful life in quiet and elegant retirement at his large and comfortable residence in Ripon.

JOHN CATLIN was born at Orwell, Vermont, October 13, 1803. His education was primarily in the common schools, completing it at Newton Academy. Quitting school at the age of eighteen, he commenced teaching, which employment he followed nine successive winters, devoting summers to self-culture and reading law under the direction of Augustus C. Hand, at Elizabethtown, New York, and was admitted to the bar when thirty years of age. He came to Wisconsin in 1836, located at Mineral Point in law partnership with Moses M. Strong. In the fall of that year he was appointed clerk of the supreme court, and was clerk of the territorial house of representatives from 1838 to 1846. In the spring of 1838 he received the appointment of postmaster at Madison, and removed his residence to the then new capital of the territory. On the change of administration by the election of General Harrison to the presidency, he was removed from the office, but was reinstated by President Tyler, and held the office until 1844, upon his election as a member to the territorial council. He was the first district attorney for Dane county, and was appointed secretary of the territory in 1846, and occupied the office until 1848, upon Wisconsin becoming a state. Subsequently he was elected county judge for Dane county, which he resigned to become president of the Milwaukee & Mississippi Railroad Company, in consequence of which he removed to Milwaukee. He officiated in that capacity until 1856, when he declined a reelection, but accepted the office the succeeding year, and continued his connection with it until its consolidation with the Milwaukee & St. Paul Railway Company. One of the early pioneers of Wisconsin, Judge Catlin was conspicuous in public affairs of that early day, as the record of his life narrated above will show.

UNITED STATES ATTORNEYS.

MOSES McCURE STRONG, Mineral Point, is of Puritan stock. His paternal ancestor, Elder John Strong, emigrated to America in 1629, and settled at Dorchester, Mass. He died at the age of ninety-four years at Northampton. The father of Mr. Strong was educated as a lawyer and became distinguished at the bar. In 1825 he was called to the bench, whence he retired to private life. Moses McCure Strong was born at Rutland, Vermont, May 20, 1810. He derived his earliest educational instruction from his mother. He was five years at the village school, thence went to the grammar school at Castleton, Vermont. In 1825 he entered the freshman class of Middlebury College, Vermont. Three years after he joined the senior class of Dartmouth College, where he graduated in 1829. Having graduated he entered the law office of Rodney C. Royce, and at the expiration of one year he entered the law school at Litchfield, Connecticut, where he remained one year, when, after a thorough examination in open court by the judges and members of the bar, he was admitted to practice in all the courts of Connecticut. In 1836 he removed to Wisconsin. In July, 1832, Mr. Strong was married to Miss Caroline Frances Green, daughter of Dr. Isaac Green, of Windsor, Vermont. In 1833 he received the appointment of deputy surveyor general of the State of Vermont. In 1835, when the democratic and whig parties were being organized for the approaching presidential election, although Mr. Strong's father and numerous relatives were all whigs, yet the leading measures of Jackson's administration met his approval, and he cut loose from his political associations, and supported Mr. Van Buren for the presidency. In 1836, while at Washington city, he was engaged by Governor Hubbard and others to invest large sums of money in government lands, and under their directions he went directly to Mineral Point, in Wisconsin, and invested the funds intrusted to him. Upon his arrival he opened a law and land agency office, and has made that place his home ever since. In 1837 Mr. Strong received an appointment from General Lytle for surveying government lands on the west side of the Mississippi river, in what is now Jackson and Dubuque counties. In 1838 he was appointed United States attorney for the territory of Wisconsin, which office he held three years, discharging his duties with punctuality and ability, and acquiring high professional distinction. In 1841 Mr. Strong was elected a mem-

ber of the legislative council to fill a vacancy, and in 1842 was reelected for the full term of four years, in which he took a prominent and active part in all questions brought before it, and was twice elected as its president. He was elected as one of the delegates to the convention which assembled at Madison in 1846, and took a leading part in framing the first constitution. This constitution was submitted to the people for adoption, and, after very exciting discussions throughout the state, was rejected. Another constitution was adopted in February, 1848, and ratified by the people in March of that year. In November, 1849, Mr. Strong was elected to the assembly, and at the meeting of the legislature in 1850 was chosen speaker. The session lasted thirty-four days, being the shortest ever held in the state, mainly due to the promptness and ability of the speaker.

In 1852 he devoted much of his time in aiding the construction of the La Crosse & Milwaukee railroad, and afterward in constructing the Mineral Point railroad. He drew up the charter of the La Crosse railroad, and its adoption was due chiefly to his efforts. He was elected its first president, and continued in its management until the financial disaster of 1857. He was also president of the Mineral Point railroad, which he materially benefited by making successful arrangements with the Illinois Central and Galena & Chicago railroads. Mr. Strong spent six years in promoting the success of these enterprises, which withdrew him from his profession of the law, and it required years of laborious effort to regain what he had lost.

Mr. Strong, from early education and habit of thought, is a firm believer in the Christian religion, and being attracted by the beautiful and classic liturgy of the Episcopal church, he took an active part in organizing a church in Vermont and was a member of the vestry. On removing to Mineral Point he, with a few other churchmen, organized Trinity church in that parish, of which he has ever since been a vestryman, and in which he received the rite of confirmation at the hands of Bishop Kemper. Since then he has been a regular communicant and frequently a delegate to the diocesan convention. His religious character has nothing of asceticism in it. He has always indulged in the innocent amusements of life. Since 1858 he has avoided public life, and confined himself chiefly to his professional duties in the practice of the law. Nature has endowed Mr. Strong with some rare gifts, among them a vigorous, physical constitution, and intellectual ability of a high

order, logical, discriminating and comprehensive. He is an able debater, a close reasoner, an impressive, and occasionally and eloquent speaker. He has acquired an enviable reputation at the bar and in the legislative councils, in which bodies as a parliamentarian and presiding officer he has had no superior in the state. But his knowledge of the principles of law, his calm deliberation, his logical power and his analytical acumen, better fit him for the bench than the bar.

GEORGE W. LAKIN, Milwaukee, was born in Harrison, Cumberland county, Maryland, March 29, 1816. He was educated at the Wesleyan Seminary, at Readfield, Maine, graduating in 1837. In the same year he taught school in Livermore, Maine, boarding in the family of Israel Washburn, father of the noted family of congressmen by that name. He commenced the study of law in 1838, at Readfield Corners; came to the west in 1839; spent some time in Missouri, and was admitted to the bar of that state in 1841. After admission to the bar, he came at once to Wisconsin, and opened an office at Platteville, Grant county, in the same year. In 1847 Mr. Lakin was elected representative from the county of Grant to the constitutional convention, and in that body served on the committee on banks, banking and incorporations. He took a prominent part in the discussions of the convention, speaking upon many of the most important subjects before it. He had a strong mind, highly cultivated, and, possessing an excellent voice, his speeches were always listened to with marked attention. In 1848 he was elected a member of the state senate, in which body he served two years, ranking among the ablest men in it, and was valuable and useful in shaping the affairs of the state government. He was appointed United States district attorney for Wisconsin, in 1849, by President Taylor, and held the office until the close of Mr. Fillmore's term in 1853, discharging the duties of the position with marked ability, and fidelity to the interests of the government. In 1854 Mr. Lakin removed to the city of Milwaukee, where he has ever since devoted his time to the practice of his profession. He still resides in Milwaukee, an honored member of its bar.

DON ALONZO J. UPHAM, Milwaukee, was born in Weathersfield, Windsor county, Vermont, May 31, 1809. When sixteen years of age he chose the legal profession, and attended the preparatory school at

Chester, Vermont, and subsequently, in 1826 and 1827, at Meriden, New Hampshire. At the age of nineteen he entered the sophomore class at Union College, Schenectady, New York, and graduated in 1830. He entered the law office of James Tallmadge, in New York city, as a law student, was admitted to the bar in the city of Baltimore, took up his residence in Wilmington in 1834, and commenced the practice of law. In 1835 he was elected city attorney. He settled in Milwaukee in the fall of 1837 in partnership with Clinton Walworth, and at a later day with Wilson Graham. He was a member of the territorial legislative assembly in 1840, 1841 and 1842; was elected county attorney in 1843; was president of the constitutional convention of 1846; was elected mayor of the city of Milwaukee in 1849, reelected in 1850, and was United States attorney from 1857 to 1861. His health failing in 1863, he retired from the active duties of his profession, and died July 19, 1877.

CHARLES MORTON WEBB, Grand Rapids, a native of Towanda, Pennsylvania, was born December 30, 1833. His father, John L. Webb, was, in his latter years, a merchant and prominent politician, and at the time of his death, which occurred in 1846, he was a member of the Pennsylvania legislature. His mother's maiden name was Annis Hammond. She died about 1875. Charles M. Webb closed his studies in school at the age of twelve years, and entered a printing office at Troy, Pennsylvania. Subsequently he worked at the printers' trade at Wellsboro, in the same state. In 1850 he entered the military academy, West Point, and there spent a year and a half. He worked in a printing office at Washington, District of Columbia, about two years, and in 1855 began the study of law with Ulysses Mercur, a member of the supreme bench of Pennsylvania, and was admitted to the bar of that state in September 1857. After spending a short time looking for an opening he settled in April, 1858, at Grand Rapids, at that time a village of eight hundred inhabitants. During the first year of his residence there he was elected district attorney, and held that position at the opening of the rebellion in 1861. Resigning his office in September of that year he entered the army as first lieutenant of Company G, Twelfth Regiment, and after eight months service resigned. Returning to Grand Rapids he resumed his legal practice, and in 1864 was elected clerk of the board of supervisors, in which capacity he served during two terms. He was

elected to the state senate in 1868, and served two sessions. He was United States district attorney for the western district of Wisconsin from the creation of that district in 1870 until he resigned in 1877. He has always acted with the republican party. On the 2d of January, 1857, he was married to Miss Jane Pierce, of Smithfield, Pennsylvania, and has three children. Mr. Webb is a close student of law. His strength is before a jury: he is logical, clear and persuasive. In 1881 Mr. Webb received the appointment of register of the land office at Deadwood, Dakota, and has entered upon the duties of the office, his temporary removal from Wisconsin being regretted by the many friends he leaves behind.

HENRY M. LEWIS, Madison, was born in Cornwall, Vermont, September 7, 1830; came to Wisconsin, and settled near Sun Prairie, in 1846. His education was obtained in the public schools of Vermont and Wisconsin, and one term at the University of the latter state. He studied law at Madison in the several offices of L. P. Vilas & Remington, and Judge A. L. Collins and G. B. Smith, and was admitted at the same place in November, 1853. He began practice the same fall at Hudson as a member of the firm of Semmes, McMillan & Lewis, having an office also at Stillwater. Mr. Lewis came to Madison and opened an office in 1854, where he has since remained. From 1861 to 1863 he was district attorney for Dane county; alderman from 1862 to 1869; a member of the board of education for two years. In March, 1867, he was appointed United States revenue collector for the second collection district of Wisconsin, which office he held until 1873. In September, 1875, he was appointed assistant United States district attorney for the western district of Wisconsin, and upon the resignation of Charles M. Webb, in February, 1878, was appointed United States district attorney, which position he still holds.

JEFFERSON CLARK MCKENNEY, Milwaukee, was born at Bridgton, Maine, April 27, 1841. His parents, Humphrey and Lydia McKenney, removed to Wisconsin in September, 1854, and settled in Columbia county. Jefferson entered the State University at Madison in 1857, and attended that institution until 1861, pursuing a scientific course. For a short time in 1860 and 1861 he read law with Smith S. Wilkinson, at Prairie du Sac, and subsequently with Henry W. and Daniel K. Ten-

ney, at Madison. In August, 1862, he enlisted in the Twenty-third Wisconsin Infantry, and was appointed first sergeant of Company I. He served until the following April, when he was discharged for disability contracted during Sherman's unsuccessful attack on Vicksburg. On May 22, 1863, Mr. McKenney was admitted to the bar of the circuit court of Dane county. April 20, 1875, on motion of Timothy O. Howe, he was admitted to the supreme court of the United States. In 1863 he took up his residence in Chicago, where he remained for a little more than a year. Thence he returned to Madison, and continued to practice his profession at that place until 1875, when he removed to Milwaukee. In 1868 he was employed by Door county to prosecute Patrick McDonald for the murder of Thomas Stinson, the trial resulting in the conviction of the prisoner, and a sentence of imprisonment for life. For some time Mr. McKenney was an alderman of the city of Madison, and from July 16, 1869, to January 1, 1872, was district attorney of Dane county. From January 1, 1871, for several years, he was assistant United States district attorney for the western district of Wisconsin. In July, 1873, he received a special appointment to conduct proceedings to enjoin the Milwaukee & St. Paul Railroad Company from building a bridge across the Mississippi river near La Crosse, and was successful in procuring the injunction at the suit of the United States.

May 15, 1875, he was employed by telegraph from the government at Washington, to take charge of the prosecutions against the "whisky ring" of Milwaukee; and to that end was appointed first special assistant United States district attorney for the eastern district of Wisconsin, and subsequently acting district attorney. About the same time he was also appointed special assistant United States attorney for the northern district of Illinois, but did not qualify in that capacity. The so-called whisky trials are so famous and interesting a part of the history of our courts that they occupy a separate chapter in this volume; and it is sufficient to say here that Mr. McKenney conducted them with notable vigor and ability, bringing to bear against the defendants the skill of a detective, and the learning of a thorough lawyer. After their close he was several times employed by the United States as special assistant in suits of more than ordinary importance. In the fall of 1878 Mr. McKenney was chosen district attorney of Milwaukee county, and served in that capacity for the two years ensuing.

JOHN J. JENKINS, Chippewa Falls, was a native of England, having been born in that country in 1843, and came to the United States when a youth. He was educated at Baraboo, this state, where he also studied law and was admitted to the bar. Coming to Chippewa Falls he entered into partnership with J. M. Bingham, lieutenant-governor of the state, which continued several years, and also at one time Mr. W. R. Hoyt was associated with him in practice. Mr. Jenkins has filled several offices in the line of his profession: for three terms he was city attorney for Chippewa Falls; county judge of Chippewa county two terms; member of the Wisconsin legislature for the session of 1872, and United States attorney for Wyoming territory, having been appointed thereto by President Grant. During the late war he served in Company A, Sixth Wisconsin Infantry. When in the legislature Mr. Jenkins took an active part in the proceedings of that body, and was an influential member.

ATTORNEYS BY JUDICIAL CIRCUITS.

FIRST CIRCUIT.

JOHN TRACY FISH, Racine, was born at Lake Pleasant, Hamilton county, New York, November 7, 1834. His father was Joseph Warren Fish, a man of notably excellent judicial judgment, and of great honor and integrity of character. Mr. Fisher's early education was begun in the public schools and completed in Kingsborough Academy, New York. He came west in 1854 to Walworth county, Wisconsin. He studied law in McHenry, McHenry county, Illinois, and subsequently in Whitewater with Mr. Kellogg, and was admitted in July, 1859, at Elkhorn. He commenced practice at Sharon, Walworth county, and remained there until the opening of the war. In September, 1861, he entered the army and served in the Thirteenth regiment as second lieutenant, first lieutenant and captain, until December 26, 1865, when he was mustered out with his regiment at Madison, and resumed the practice of law at Sharon. In 1867 he removed to Burlington, and practiced there until the fall of 1868, when, upon his election as district attorney of Racine county, he removed to Racine in the spring of 1869. He served in that capacity four years. In 1871 he went into partnership with Charles H. Lee. After this connection ceased, in 1878, Mr. Fish was alone till March 1880, when he took his son, F. M. Fish, into partnership. His practice has been extensive, and has extended

through all the courts from that of justice of the peace to the supreme court of the United States.

FRANK M. FISH, Racine, was born in McHenry county, Illinois, July 4, 1858, was educated in the public schools and at I. G. McMynn's Academy in Racine. He studied law with Fish & Lee, of Racine, where he was admitted in July, 1879. Since March, 1880, he has been in partnership with his father, John T. Fish, Racine.

NICHOLAS N. HARRINGTON, Delavan, was born in West Greenwich, Rhode Island, July 15, 1815. In 1817 Mr. Harrington removed to Potter, Yates county, New York, in company with his parents. His early educational advantages were very limited, his attendance at school not being more than one year previous to his nineteenth birthday. At this time he became a teacher at eleven dollars per month, an occupation which he continued during seven winters and two summers. During this time he attended the Yates county academy, and the Franklin Academy at Prattsburgh, New York, and by close application to his studies in and out of school acquired a good English education, and some knowledge of Latin and Greek. In 1843 he became an inhabitant of the Territory of Wisconsin, making Delavan, then an infantile hamlet, his first stopping-place, soon deciding to make it his permanent home, and entering into the mercantile pursuit. He gave his services to the deaf and dumb institute, located at Delavan, for fourteen years, as trustee, treasurer and corresponding secretary. He accepted the office of postmaster under the administration of Franklin Pierce, unsolicited, for the purpose of obtaining additional mail facilities for Delavan. Mr. Harrington is an admitted attorney at the courts of the state. In politics he is usually associated with the democratic party, but in the late war period he earnestly lent his influence to the preservation of the Union. Mr. Harrington has been thrice married: his present wife was Catharine M. Crosby, daughter of Eber Crosby, a descendant of Enoch Crosby, the Harvey Birch, Cooper's spy, of the revolution. She is a lady of superior culture and sterling qualities. Mr. Harrington has been very successful in the business of life, and is a highly respected citizen.

JOHN M. HAYES, Kenosha, was born at Berwick, York county, Maine, August 30, 1838, graduated from Dartmouth College in the class of 1860; taught school every winter during his college course; studied law with Sullivan Cavimo at Lockport, New York, one year; graduated at Albany Law School, Albany, New York, in 1862; was admitted to the bar in Albany, 1862, in Chicago the same year, and in Kenosha in 1876; practiced in Chicago from 1862 to 1868, three years of which were with A. Van Buren in the firm of Van Buren & Hayes; was with Daniel L. Shorey in the firm of Shorey & Hayes, in Lockport, New York, from 1868 to 1870; again in Chicago from 1873 to 1876 and in Kenosha from 1876 to the present time as one of the firm of Van Buskirk & Hayes for a while and now alone. From 1870 to 1873 the practice of Mr. Hayes was interrupted by ill health. Mr. Hayes is a member of the fraternities of Freemasons and Odd-Fellows. In Kenosha he has been closely identified with the cause of public schools and has acted in the capacity of superintendent of them.

CHARLES HENRY LEE, Racine, was born in Racine, August 22, 1847, and is the son of Alanson H. Lee, one of the pioneer settlers of Racine. He was educated at the public schools of that city while under the direction and teaching of J. G. McMynn of educational celebrity. Subsequently he was a year in the law school at Albany, New York, and then entered the law office of Fuller & Dyer, Racine, in September, 1866, as a law student, and was admitted to the bar in 1869 at the age of twenty-one. From that time he had charge of the office business of that firm until April, 1871, when a partnership was formed with John T. Fish, Racine, under the firm of Fish & Lee, which continued until January 1878. Since February, 1878, he has been exclusively employed as the general attorney of the firm of J. I. Case & Company and of the Case Threshing Machine Company, their successors. Mr. Lee is a republican, but in no sense a politician, and his religion is his own private affair.

JOSEPH H. PAGE, Whitewater, was born at Columbus, New York, on June 14, 1832. He received his early education in his native town, and when twenty-four years of age, he put himself under the instruction of Reverend J. P. Hunting, a retired professor, and devoted a portion of the day to study, working at a trade the rest of the time. He pursued the same plan in his study of law, spending five hours of the day

at work, and the remainder in study. After three years he entered the law office of H. C. & R. L. Miner, Madison county, New York, and remained there one year, until 1862. He was admitted to the bar, at Binghamton, by the four judges of the general term. He afterward went to West Edmeston, and practiced his profession there during one year. He then came to Wisconsin, and in 1865 settled at Whitewater. In November of the same year he entered into a law partnership with N. D. Montague, which continued until July, 1870, when the firm dissolved. Mr. Page then conducted the business alone until 1878, when he took Samuel Bishop into partnership, which connection still continues.

JOSEPH VERY QUARLES, Racine, was born in the city of Kenosha, December 16, 1844, and, having received preparatory instruction, he entered Michigan University, took a full classical course, and graduated from that institution in the class of 1866. He then commenced the study of law with O. S. Head, one of the oldest practitioners of the state; was admitted to the bar in 1868, and entered upon practice in Kenosha in partnership with Mr. Head in 1868. When the war of the rebellion broke out he entered the army and was lieutenant in Company C, Thirty-ninth Wisconsin regiment. On returning from military service he recommenced the practice of his profession, which he has since continued at Kenosha. While yet young, Mr. Quarles has been called to public life: was district attorney for Kenosha county six years; mayor of the city in 1876; president of the board of education for 1877 and 1878; member of the assembly in 1879, and state senator in 1880 and 1881. During senator Quarles' service in the legislature, he gradually arose to influence and considerable distinction, serving on the judiciary and other important committees. At the election of United States senator in 1881, to fill the place of August Cameron, Mr. Quarles, without being a candidate, received a handsome vote in the republican nominating caucus, and, had he not immediately withdrawn his name, there is no knowing what might have been the consequence. At that time Mr. Quarles declared his intention to withdraw from public life for ten years, under the advice of physicians, to save his health, which had become impaired by over mental labor in the duties of office; and he was obliged, for the same reason, to withdraw from the senate before the final close of the session. Mr. Quarles has a very extensive

law practice, and has a just reputation as a public speaker. Since this sketch has been prepared, Mr. Quarles has moved to Racine in the prosecution of his profession in that city.

MARSHALL M. STRONG, Racine, was a native of Amherst, Massachusetts, where he spent his early days at the academy and college of that place, but finished his collegiate course and graduated at Union College, Schenectady, New York. He then engaged in the study of law in the city of Troy, in that state, and was then admitted to the bar. In June, 1836, he came to Racine county, then almost an unsettled country. In 1838 he was elected a member of the territorial council, and was one of a committee of three from that body to revise the laws of the territory, in which capacity he faithfully performed his duties. From that time forward his reputation was established in the front rank of his profession throughout the territory. In 1846 he was elected a member of the house of representatives of this state, where he continued to perform his duties with untiring industry until an appalling calamity called him from his labors to mourn in silence and solitude the entire loss by fire of a much beloved and interesting family. As time restores the deeply afflicted to themselves, to society and to the business of the world, his usual cheerfulness returned to him, and he to his professional labors. He was a member of the first constitutional convention for framing a state constitution, but so widely different from a majority of that body that he resigned before the close of the session, and the constitution offered to the people was by them rejected. In 1848 he was again chosen to the legislature, took an important part in the revising of the statutes of the state, and then permanently retired from the political strife so necessarily connected with public life, and which was uncongenial to his thoughtful, quiet and domestic nature. In 1850 he again married, and the domestic happiness enjoyed by him and his interesting family has rarely been equaled. He left a wife and three children to mourn, in common with the whole community, his death, which occurred at Racine, March 9, 1864,—their and the public's irreparable loss. While his strict sense of justice prompted him on all occasions to be exact in the financial affairs of his clients, and in no way reckless or extravagant in his own, yet he had less love of money for its own sake than most men of the present day, as his liberal use of it for the good of others will bear witness. His extensive reading, aside from that of his pro-

fession, was extensive and varied. His love of literature and science prompted him to spend time and money for the establishment of Racine College, and the erection of the college building, being always forward in such public and private enterprises as the public good seemed to require. He was a man of strong will and great firmness of purpose, yet seeking less his own advantage than what he conceived to be for the public good.

During the terrible struggle in which our country had been involved during the three years preceding his death, he was an unconditional supporter of the government, using his means, employing his pen, and raising his voice while strength lasted, to aid the cause which all true patriots were anxious to see triumphant. As a public speaker he had a happy faculty of stating his views clearly, in pure and concise language; his reasoning, though not marked by any labored attempts at ornament, were forcible and convincing, and never, even in the heat of debate, did he allow passion to influence or control him. In his intercourse with his fellow-men he was courteous and gentlemanly. Toward his professional brethren he was unassuming, and ever ready to advise and assist the younger portion, who placed unlimited confidence in his judgment and rectitude. Dignity characterized his bearing in court, as elsewhere, and his uprightness, fairness and candor in trying cases gave him as much influence with the court and jury as a man ought to have, but that influence was ever used to promote justice and was never abused. No person had just cause to complain that he ever endeavored to obtain an unfair advantage; and yet his care and watchfulness were an effectual safeguard for his clients' interests. His exalted views of the nature and duties of his profession were such that he despised the tricks and chicanery resorted to by many, and always used his influence to effect a settlement of difficulties between litigants, rather than to add fuel to the flame. He had a quick, apprehensive, retentive memory, a discernment remarkably active, and reasoning faculties eminently vigorous. His philosophical mind in originality and profundity of thought was equaled by few. Had he occasion to investigate any subject, he was persevering in research and thorough in study. In conversation uncommonly instructive, in private life a genial companion; he was always tender and compassionate to the poor, and always ready to relieve them; strictly temperate in his habits, and entirely free from the vices into which mortals are too often led. In short, truth, justice and



gentleness, than which nothing can be more sacred and pure, mingled in his every act, and characterized the man. He closed his life and his labors, retaining the love of his immediate friends, and the respect and confidence of all who knew him.

HENRY V. VAN PELT, Racine, was born in Racine, January 25, 1854, and was educated at Beloit College, from which institution he graduated in July 1875. Deciding to adopt the profession of law he read in the office of Judge E. O. Hand at Racine; was admitted to the bar in March 1876; was appointed circuit court commissioner, and has been in active and successful practice at Racine from the time of his admission to the present time.

THOMPSON D. WEEKS, Whitewater, was born at North Hampton, Massachusetts, November 5, 1834. Having removed to Wisconsin, he attended Lawrence University at Appleton, and graduated in the class of 1858. On the following year he graduated from the law school of the State University at Albany, New York, and subsequently pursued his legal studies for six months in the office of Judge W. P. Lyon at Racine. On the 25th of January, 1860, he took up his residence at Whitewater, and opened an office for the practice of law. In 1870 he formed a partnership with G. W. Steele, which continues to this time. In 1867 Mr. Weeks was elected a member of the assembly, and during the years of 1874 and 1875 he represented the district consisting of the counties of Walworth and Kenosha in the state senate. For several years he has served as a member of the board of regents of normal schools. He was presidential elector in 1876, and in that capacity cast his vote for R. B. Hayes and W. A. Wheeler. He was for six years chairman of the republican county committee of Walworth county, and is now a member of the republican state central committee.

SECOND DISTRICT.

JONATHAN E. ARNOLD, Milwaukee, was born at Woonsocket, Rhode Island, February 16, 1814. He graduated at Brown University, and studied law in the office of John Whipple at Providence. Subsequently he spent one year at Harvard Law School, and was admitted to practice before he had attained his majority. He first came to Milwaukee in September, 1836, and moved his family here in the May following

Entering upon the practice of his profession he was soon chosen district attorney and served in that capacity for several years. In 1840 and 1841 he represented the county of Milwaukee in the council, the upper house of the territorial legislature. In 1841 he ran against General Henry Dodge for delegate to congress from the then territory of Wisconsin. From that time he was not, we believe, a candidate for public office until 1860, when he was nominated for representative to congress from the Milwaukee district by the democrats and was defeated by John F. Potter, the republican candidate. Mr. Arnold was a whig of the old school during the existence of that party, and regularly attended its state and national conventions. Upon the disruption of the whig party after the defeat of Winfield Scott, the whig candidate for president, and the death of Henry Clay, he acted with the democratic party. During the war, however, the instincts of his exalted patriotism inspired him to support the cause of the Union, and in a number of speeches of great eloquence and power, he sustained the government in its efforts against treason and rebellion.

Though a most effective popular speaker, and a man of earnest convictions upon all public questions, Mr. Arnold did not acquire his chief distinction in the arena of politics. His inclinations led him to dedicate himself with an almost undivided devotion to his profession, and it is as a lawyer that he will be longest remembered. It is not possible, within the limits of this sketch, even to mention his great triumphs at the bar, or to convey any adequate idea of the wonderful skill and matchless eloquence that achieved them. His speech at the impeachment trial of Judge Levi Hubbell, and his argument in the quo warranto case of Bashford against Barstow, were conspicuous specimens of his ability, but it was overshadowed by his splendid successes in the management of criminal causes. For the past twenty years, prior to his death, there had scarcely been an important case of this character in the circuit with which he was not connected, and it is not too much to say that he achieved a reputation in this branch of the practice second to no lawyer in the west. Aside from his excellent judgment in conceiving his defenses and his adroitness in the examination of witnesses, his addresses to the jury were models of impressive oratory. His style was remarkably finished and elegant, showing rich traces of his thorough culture, and the effect upon a jury of his bursts of fervid and pathetic eloquence, aided by a magnetic presence, a musical voice, and an expressive

eye, was fairly magical. In his treatment of other members of the profession, Mr Arnold was never less than courteous and obliging. For several years he had been president of the Milwaukee county bar association, and in this capacity he always found kindly and touching words in which to announce the death of a professional brother. He died suddenly of heart disease in his office June 2, 1869.

Mr. Arnold has left a pleasant memory with members of the bar with whom he held intimate social and professional relations. His was a strong character, and his leading characteristics seem to have been that he was gentle as a child and gentlemanly in all his daily deportment toward court and bar. He told the court nothing he did not believe in regard to law. He commenced his argument slow and dull, fired up to the eloquence of the best lawyers of New England's best days, and in a large majority of cases carried court and jury with him. He never smiled or joked while guarding his client's interests in court, but, like Rufus Choate, acted as though a religious duty was upon him, and interests in his hands too sacred for him to forget for a moment even to look to the right or left. He never permitted a client to go to law, with him for advocate, unless he believed and had good faith that the law was in favor of his client. He was one of the most modest of men. He was honest in his charges against clients, often telling them that he had done them no good, and charged accordingly. He treated all men well, the humblest as well as the richest. He seemed to know all the law intuitively and believed in equity, and was great and grand in intellect and the richness and accomplishments of legal education and legal lore. He feared no man and bullied no man. He never fell behind Edward George Ryan, Moses M. Strong, Charles Dunn, or any other brilliant lawyer of his day, in the number of his successes at the circuit, supreme state court, United States circuit court or supreme court at Washington, and he was one of God's noblemen, and was always and at all times a gentleman.

Mr. Arnold was employed to defend a suit to recover the value of some goods. He had put in an answer stating a good defense. But the proof showed clearly that the answer was wholly false, and that his client must have known it. Mr. Arnold then arose and said to the jury that he had put in the answer in good faith, believing from the representations of his client that he had a good defense, but that he was too old a member of the profession, and understood its duties too well, to

allow himself to be made use of for any such purpose as his client had attempted to use him for in this case; that he had been deceived, and that he should not attempt to deceive them, but should submit the case without any comment from him in behalf of the defense.

Yet, on the other hand, it has been asserted and published in the newspapers of this day that during the trial of Radcliff for murder, at Milwaukee, and Mr. Arnold was employed on the defense, the prisoner acknowledged to his attorneys that he was guilty; yet, the trial went on and under the masterly defense of Mr. Arnold a verdict of acquittal was rendered. It was upon the occasion of bringing in this verdict that Judge Hubbell, before whom the case was tried, remarked to the jury, "May the Lord have mercy on your consciences."

Mr. Arnold achieved high professional reputation in the cases of the Hubbell impeachment trial before the state senate at Madison, the Radcliff and the Anna Wheeler murder trials at Milwaukee, in conducting the defense of each of which he was the leading attorney, and was successful in obtaining the clearance of his clients. In the noted Anna Wheeler case he was the first known advocate to use the "moral insanity" plea as justification, and he used it with success.

Ex-governor Edward Solomon said of him: "With the exception of E. G. Ryan, no man ever practiced law in the state of Wisconsin whose breadth of learning relating to matters outside of his profession equaled that of Jonathan E. Arnold. The two were equally fitted in legal conflicts, when the marked contrast in their characters were so sharply brought out. Mr. Ryan, petulant, impatient of opposition, rolling his great eyes about in search seemingly of those terrible expressions of sarcasm and bitterness of which he knew himself master. Mr. Arnold, stately, courtly, richly humorous or eloquent, never out of temper, pouring out at last such outbursts of rich speech that the jury sat dumb under the spell. In all of their encounters, though Judge Ryan may have been deeper in legal acumen, Mr. Arnold had the advantage of being 'greater than he who taketh a city.'"

EDWIN H. ABBOTT, Milwaukee, is a native of Massachusetts, and was born near the city of Boston; received his education in that city, graduated at Harvard College in 1855, studied law, and was admitted to the bar; engaged in the practice of law; has been a member of the Suffolk county bar, Massachusetts, for upward of twenty years. He



came west in 1873, in the interests of his clients who were the principal owners of the Wisconsin Central Railway, and is general solicitor of the company. He has been identified with the construction and management of the road; upon the death of Judge Bigelow, he succeeded him as trustee. He has taken an active superintendency of all its legal matters both in the office and the courts.

ROBERT N. AUSTIN, Milwaukee, was born at Carlisle, Schoharie county, New York; graduated at Union College in 1845; studied law with John D. Hammond, in Cherry Valley, New York; was admitted as an attorney, in New York, in 1848, and is in practice in Milwaukee, where he is regarded as one of the solid practitioners of the city, of extensive practice.

A. R. R. BUTLER, Milwaukee, was born in Vermont, September 4, 1821, and was the eldest son of Dr. A. R. R. Butler, an eminent physician and surgeon. Dr. Butler removed with his family, in 1822, to Alexander, Genesee county, New York, where the subject of this sketch was reared and received an academic education, preparatory to the study of law, and afterward at Alexander and Buffalo prepared himself, by a thorough course of law reading, for the practice of his profession. He was admitted to the bar in 1846, and in the autumn of that year removed to Milwaukee, entering almost immediately upon an active and successful professional career, which has continued until the present time. Soon after he opened an office in Milwaukee, he was elected prosecuting attorney of Milwaukee county, and was twice reëlected, holding the office for six years. Thus compelled, while a very young man, to meet, in the trial of important criminal cases, some of the ablest lawyers of the country, he speedily won his way to the front rank of his profession, where he has maintained his position to the present time, among the ablest and most successful advocates in a state well known for the learning and ability of its bar. Avoiding active participation in party politics, Mr. Butler has declined numerous solicitations to run for high judicial and other official positions urgently pressed upon him in the course of his professional career, in a manner so creditable to him as to be worthy of remark in a period characterized by unscrupulous eagerness for official promotion. He, however, reluctantly accepted the democratic nomination for Mayor of Milwaukee, in 1876, and was

unanimously elected, the republicans putting no candidate in the field against him, and actively supporting him at the polls.

With great powers of persuasion, and a mind well fitted to present the salient points of legal controversy in an impressive and effective manner, Mr. Butler is distinguished for a peculiar elevation and dignity of character, holding in profound contempt every art of appeal not justified by the highest moral and professional standards. With him, the better the cause the better the advocate, and an earnest sincerity, well known to all the judges before whom he has appeared, has secured to many an unworthy client the protection of his legal rights which prejudice might have denied to the appeal of a less honorable advocate. Mr. Butler enters upon the trial of a cause with the earnestness of a great advocate, and even in courts where he is a stranger there is something in his manner and appearance which makes him felt at once as a man of uncommon power. There is no profession, except literature, in which the memory of professional character has been more carefully preserved as an example to those who are to assume its important duties, than among lawyers; and Mr. Butler, having retired with a handsome competency from the active practice of his profession, it becomes the grateful privilege of the writer to somewhat extend a general notice of his character and the causes of his success as an example to the younger members of the Wisconsin bar. His own conviction in regard to success has always been that it depends mainly on integrity and labor; and the example of an able man, relying implicitly on these homely virtues in the practice of his profession, should give his opinion force with those less fortunate in their natural gifts. One of the most valuable lessons, however, in Mr. Butler's life, is the fact that his success has never been secured by the pushing methods of ordinary men. He never advertised himself, but with excessive modesty waited patiently for the rewards which fully-equipped merit always gains, and he has enjoyed for years the satisfaction of being surrounded by a large number of personal clients who have sought him out and confided implicitly in his judgment and ability.

The career of a successful lawyer is peculiar. It is a liberal education in itself, and both sharpens and broadens the understanding; but it is mainly written in the sand, and some of the noblest passages of acute and logical reasoning and impassioned eloquence are unheard except by a jury of twelve men often utterly incapable of appreciating them. In this respect Mr. Butler has shared the lot of other law-

yers, with some exceptional instances, like the Olivet church case, in which his argument, though he considered it of no great importance, was the talk of the streets for days, and elicited the most enthusiastic praise from the highest sources. Yet in such cases, through a strange fatality, his speeches have been unreported and their reproduction is, of course, impossible. With the nervous, sensitive organization of the real orator, his eloquence has always been of the highest order. In personal appearance Mr. Butler is commanding, with a head of which Power's bust of Webster might well appear a copy, and, ranking in learning and ability among the most distinguished lawyers in the West, it is safe to say of him as an advocate, that in fervent and impressive eloquence and powers of reasoning he is the equal of the most gifted orators of the present time.

FRANCIS J. BORCHARDT, Milwaukee, was born in the city of Schrimm, province of Posen, Poland, September 25, 1849. He came to this country in 1853, and has resided in Milwaukee since that time. His education was obtained in an academy in that city. On June 27, 1863, when only fourteen years of age, he went to the war as private in Company K, First Regiment, Wisconsin heavy artillery, and served to the close of that struggle, when he returned home. In 1877 he was elected and commissioned captain of the Kosciusko Guard of Milwaukee, which company forms a part of the Wisconsin national guards. After his return from the war he entered upon the study of the law with Jared Thompson, was admitted to the bar at Milwaukee, November 17, 1879, and has been in practice in that city to the present time. In 1877 he was elected justice of the peace, was reëlected in 1879 and again in 1881. In the fall of the latter year Captain Borchardt was elected member of the assembly by over twelve hundred majority over the republican candidate, served during the session of 1882, and was member of the judiciary and other important committees. Brought thus early in his life into prominence and position, the possibilities of the future may be accounted as those of brilliant promise.

ELIAS H. BOTTUM, Milwaukee, graduated from Middleburg College, Vermont, in class of 1871, studied law in New York city, and graduated from the law school of Columbian College, Washington, D. C., in 1873, was admitted to practice there but after a short time removed to

Milwaukee, where he has since resided. Is a member of the firm of Flanders & Bottum.

MOSES H. BRAND, Milwaukee, was born at Polo, Ogle county, Illinois, June 4, 1849, and his parents are William & Catherine Brand. He was educated at the Normal University, Normal, Illinois, studied law in Milwaukee first with D. G. Rogers and afterward with James McAlister, was admitted to the bar in Milwaukee in May, 1873, has since practiced in that city and is now associated with Joshua Stark, the firm being Stark & Brand.

ELIPHALET CRAMER, Milwaukee, was born at Waterford, New York, June 18, 1813, and was son of the wealthy and notable John Cramer, of that state. He graduated at Union College in 1831, read law, came to Milwaukee in 1837, was admitted to the bar and made his permanent residence in that city. Being a gentleman of means, Mr. Cramer did not enter into the practice of law, but engaged in business enterprises in the city, and for many years was president of the State Bank of Wisconsin. He was identified with works of charity and benevolence, to the promotion of which he was a liberal contributor, was one of the pillars and generous supporters of the Plymouth Church, and lent aid to the founding of the Chicago Theological Institute and Beloit College. He died in Utica, New York, September 19, 1872. He was a much respected citizen of Milwaukee, tall and spare in person, and quiet and gentlemanly in his demeanor. W. E. Cramer, the veteran editor of the Milwaukee Evening Wisconsin, is his brother; John F. Cramer, of the same paper, and Edward Cramer, a banker in Milwaukee, are his sons, and they are among the most enterprising, promising and honorable business young men of that city.

JOHN WATSON CARY, Milwaukee, was born February 11, 1817, at Shoreham, Vermont. His father, Asa Cary, was married to Anna Sanford, February 7, 1799, and resided in Shoreham until 1831. They had nine children, six boys and three girls. He was the youngest of the boys. His early life was spent on the farm and in attendance upon the common schools, including two terms at the academy. In 1831 his father removed to Sterling, Cayuga county, New York. In the following year he was placed in a store, but not finding the business to his



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bia College, in New York city; studied law with Samuel A. Foote and James T. Brady, in New York city; was admitted in New York city about twenty-five years since; has been in practice in Fond du Lac, Janesville, and now in Milwaukee; was district attorney of Fond du Lac county two terms, and has been member of the legislature. Mr. Ebbets has the reputation of a successful criminal lawyer.

EUGENE S. ELLIOTT, Milwaukee, was born in Lowell, Vermillion county, Illinois, August 13, 1842. He received a public school education at Milwaukee, and entered Dartmouth College, Hanover, New Hampshire, which he left in 1862, to join the Seventh Rhode Island Cavalry in a company recruited out of the Eastern colleges. He was principal of the intermediate department, second ward, and of the ninth ward grammar school. After having been mustered out of the service he was manager of the Milwaukee branch of R. G. Dun & Company's mercantile agency until 1869, when he assumed charge of the Milwaukee Journal of Commerce. He entered the office of Jenkins & Elliott in 1872 as a law student, and was admitted to the bar at Milwaukee in 1876. He then formed a copartnership with W. C. Williams, under the firm of Williams & Elliott, in February 1880. He is a thirty-two degree Mason, and member of the K. of H. and K. of P. societies

T. B. ELLIOTT, Milwaukee, was born in Wayne county, New York; came to Wisconsin in 1852; studied law in Milwaukee; was admitted to the bar in 1860; formed a partnership with James G. Jenkins in 1867, and became one of the firm of Jenkins, Elliott & Winkler when it was organized in 1874.

HAROLD EMMONS, Milwaukee, was born at Orion, Oakland county, Michigan, August 12, 1848, his parents being Elias R. and Sarah M. Emmons, and his education was in the common schools of Michigan. In preparation for the legal profession he studied law with Alfred Russell and William Jennison, Detroit, Michigan, and was admitted to the bar at Detroit, May 6, 1872. Mr. Emmons commenced practice with Mr. Russell at Detroit, and afterward came to Milwaukee, where he has been practicing since September, 1875, and at present in connection with his younger brothers, R. W. Emmons and A. C. Emmons.

ASAHEL FINCH, Milwaukee, the subject of this sketch was born in Genoa, Cayuga county, New York, February 14, 1809. His parents came originally from the county of Orange, in the same state, but his grandfather on his father's side, resided in Pennsylvania, and was one of the victims of that terrible massacre, so widely known, which occurred in 1778 at Wyoming. In his boyhood he attended the common schools, and later when approaching manhood he pursued a course of study for one year at Middlebury Academy, in the county of Genesee, now Wyoming, New York. His educational advantages were limited to that one course of study. In 1830, when only twenty-one years of age, two of the most important events of his life occurred. He married and he moved west as far as the state of Michigan, when for three years he devoted himself to mercantile pursuits, an experience by no means without advantage in that profession, which, through the influence of his friends, he was prevailed upon to enter, and to which he has devoted so much of his life.

In 1834 he entered as a law student the office of Orange Butler, at Adrian, and in 1838, four years afterward, he was admitted to the bar in Calhoun county, Michigan. This was eight years after his marriage, and after he had served one term in the legislature of that state, to which he was elected in 1837. He came to the bar no stripling just from the schools, but at the age of twenty-nine, already matured and disciplined by the practical duties and responsibilities of manhood. In 1839, when Wisconsin was yet a territory, nine years before its admission as a state, he removed to Milwaukee, where he has ever since resided. He was first associated with Mr. H. N. Wells and Colonel Hans Crocker, under the name of Wells, Crocker & Finch. On September 16, 1842, that firm dissolved, and Mr. Finch formed a copartnership with Mr. Wm. Pitt Lynde, which from that day to the present time (over thirty-eight years) has never been dissolved. In 1857, however, some twenty-four years since, they associated with them two younger men, B. K. Miller and H. M. Finch, and thus the name of the old firm of Finch & Lynde was changed to Finches, Lynde & Miller. During a professional life of nearly forty years Mr. Finch has stood at the head of a law firm in Milwaukee, having as large, various and important a practice as any in the state of Wisconsin or in the northwest. Its registers show more than ten thousand suits in courts of record, state and federal, brought or defended; some, of course, wherein the amount involved

would be less than one thousand dollars, but many of them involving large amounts and important legal questions. So long continued and successful a law partnership has rarely been equaled in this or in any other country. Confined to no special branch of the profession, he has never sought to make himself pre-eminent either as a corporation lawyer, patent lawyer, real estate lawyer, or criminal lawyer, but to deserve and to hold, as in fact he has held, high place in the front rank of the profession, and in the general practice of the whole duties of an attorney and counsellor-at-law. Since coming to Wisconsin Mr. Finch has never held but one office, and that was in the line of his profession, that of city attorney of Milwaukee. His life may be said to have been devoted to that profession, of which he has always been an honorable, able and most useful member. While it would be difficult to point to any one branch of the profession and say Mr. Finch is pre-eminent in that, it would be more difficult still to point to any branch of it in which he does not excel, while, if you take into account his great quickness of apprehension, and strong practical views of any legal question, and add to that his long and faithful study of the law, and his untiring industry and energy, you then comprehend the real strength of Mr. Finch as a lawyer, and the secret of his power. It will then be seen what has always made him so able and so successful in every branch of the profession; with him there is a symmetry of development rarely equaled and hardly ever excelled.

About five years ago in the trial of a case before Judge Dyer of some ten days continuance, Mr. Finch was attacked with vertigo and compelled to abandon the case by simply submitting his brief to the court. After this he made two efforts in court, but in both instances he was stricken down, when he was advised by his physician that he must retire from active court duties. Consequently Mr. Finch retired from active participation in the law practice of his firm, while yet retaining an interest in its business. He has not, however, ceased to take part in other business enterprises, having become connected with several important corporations operating in this city, and even at his advanced age no man on the streets is around with more activity looking after his business interests than the subject of this sketch. Mr. Finch is no less notable in social life than he is in the professional world. He is the chaste lawyer and the upright man. With nearly a life-long connection with the congregational denomination, he is one of the pillars of

the Plymouth church of this city. When in 1874 the memorable conferences of churches was called at Brooklyn to take action upon the celebrated Henry Ward Beecher scandal case, Mr. Finch was selected a lay member, and has the credit of having performed the duties of the trust to the entire satisfaction of the denomination in this city and state. Possessed of large means acquired in strictly legitimate business, Mr. Finch has the reputation of the true philanthropist, bestowing timely aid to the worthy in a quiet and unostentatious manner. Not a few have been helped by him in a financial strait, and his hand is not shut to private distress. And in the daily walks of life he is the courteous, considerate, reliable, generous and always sympathizing friend. Both as a lawyer and a citizen, few have so clean a record from so long and successful a career.

JAMES G. FLANDERS, Milwaukee, was born December 13, 1844, at New London, New Hampshire; came to Milwaukee, Wisconsin, with his parents in 1848; attended private and public schools in Milwaukee until 1860, when he entered Phillips Academy at Exeter, New Hampshire, where he received an education preparatory for admission to college. After graduation at Phillips Exeter Academy he entered Yale College in 1863 as a member of the freshman class, and graduated in 1867; studied law one year in the office of Emmons, Van Dyke & Hamilton, at Milwaukee. In October, 1868, he entered the Columbia Law School in New York city, graduated and was admitted to practice in New York city in May, 1869. Returned to Milwaukee and engaged in the practice of law as a member of the firm of Davis & Flanders until the spring of 1875, when the firm became Butler, Davis & Flanders. After the dissolution of the latter firm, in 1876, he continued in the practice of the law alone until the spring of 1878, when he and Elias H. Bottum associated themselves together under the name of Flanders & Bottum, which firm is still in existence and engaged in the transaction of a general law business at Milwaukee. He was a member of the board of school commissioners of the city of Milwaukee from the first ward from 1875 to 1877, and was elected to and served as a member of the assembly of Wisconsin for the year 1877 from the first assembly district of Milwaukee county, receiving as a democrat 999 votes against 667 cast for his opponent, a republican.

GEORGE B. GOODWIN, Milwaukee, is a native of Livingston county, New York; was born December, 18, 1834, the son of Simeon S. and Elizabeth Albright Goodwin. After closing his studies in the common schools, Livingston county, he prepared for college, and graduated from Geneva College in 1854; in 1855, entered the Albany law school, and in the winter of that year was admitted to practice in all the courts of New York. He removed to the West, settling in May, 1856, in Menasha, Wisconsin, and engaged in his profession. Colonel Goodwin went into the late war, and commanded the Forty-first regiment, Wisconsin Infantry, and rendered faithful service until mustered out.

In the spring of 1865 Colonel Goodwin removed to Milwaukee, his present home. In 1870 he was appointed United States assessor of internal revenue, and held that office until it was abolished by act of congress. After retiring from the office of United States assessor he was associated with R. K. Adams, and in the spring of 1876 withdrew and became associated with N. S. Murphey, which connection was dissolved in 1881, and he is now alone in practice.

D. G. HOOKER, Milwaukee, was born in Poultney, Vermont, September 14, 1830. He graduated at Middlebury College in 1853; read law with J. A. Beckwith, of Middlebury, Vermont; was admitted in Milwaukee in 1856, and has practiced in this city since that time. Mr. Hooker was mayor of Milwaukee 1872 and 1873, and was city attorney from 1867 to 1870; is now retired from general practice, and is in regular employment as counsel for the Northwestern Mutual Life Insurance Company. Mr. Hooker was, for many years connected with H. L. Palmer, as a law firm, in which, at one time, F. W. Pitkin, now Governor of Colorado, was associated, and subsequently ex-Chief Justice L. S. Dixon, who became a member of the firm upon his retirement from the bench of the supreme court. It will thus be seen that Mr. Hooker has been associated in his law practice with some of the most notable attorneys in the state, and member of one of the leading firms of the Milwaukee bar. Mr. Hooker has always held a high rank in the profession, and as attorney for the great Northwestern Life Insurance Company, is in a position of much responsibility, demanding legal learning, ability, and assiduous attention. All these requirements are fulfilled in the acceptable manner in which Mr. Hooker performs the duties of the position. Mr. Hooker has long been identified with the

doings of the Masonic fraternity, having taken thirty-two regular degrees of the order.

JAMES HICKCOX, Milwaukee, was born in Buffalo, New York, April 9, 1833. In 1850 he came to Wisconsin, spent three years and a half in completing his education at the State University, from which he graduated, after which he commenced the study of law with Emmons & Van Dyke at Milwaukee. Subsequently he returned to Buffalo, and continued his law studies with Marshall & Harvey, and coming again to Milwaukee, finished them in the office of Emmons & Van Dyke. In 1857 he was admitted to the bar, and commenced practice in connection with Robert Chandler, in Milwaukee. Afterward he was in partnership with James G. Jenkins, which was continued until 1865, when Mr. Hickcox was elected clerk of the circuit court. He held this office until 1873, was a member of the school board eight years, and while on the board was largely instrumental in establishing, in the city schools, the study of the German language.

G. P. HARRINGTON, Milwaukee, was born in Ozaukee county, Wisconsin, March 20, 1850; received a liberal education at the University of Wisconsin, and later graduated from the law department of that institution with the class of 1872, receiving the degree of Bachelor of Laws. He was principal of the Wisconsin Academy at Madison, from 1872 to March 1875, when he resigned the place to accept the position of trust fund book-keeper in the office of the secretary of the State of Wisconsin. He resigned this situation in June, 1876, to engage in the practice of his profession, the law, in the city of Milwaukee, where he at once opened a law office and continues in the practice. He was appointed court commissioner for Milwaukee county in January, 1877, and reappointed for the official term in 1879. He was raised on his father's farm in Ozaukee county, was given a teacher's certificate at the age of sixteen years, and acquired his subsequent education solely through his own efforts. As a teacher, bookkeeper and attorney he has been very successful. On leaving the secretary's office in 1876, he received the highest recommendation from Secretary Doyle. In the fall of 1881 Mr. Harrington was elected a member of the assembly and served during the session of that body of the winter of 1882.

JAMES G. JENKINS, Milwaukee, is a native of New York state, having been born at Saratoga Springs, July 18, 1834. His father was Edgar Jenkins, a business man of New York city, and a cousin of General Worth, of Mexican war fame. His mother was the eldest child of Reuben H. Walworth, of New York, the last chancellor of that state. Being "so fathered and so mothered" the career of the son has been alike eminent. Mr. Jenkins was educated in his native state, subsequently studied his profession in the city of New York, was admitted to the supreme court of the state, and to the United States court for the southern district of New York in 1855. In 1857 he came to Wisconsin, settled in Milwaukee and has lived in that city since that time. He was admitted to the United States court the same year, to the supreme court of this state in July, 1859, and to the supreme court of the United States in March, 1879. He has been attorney for the city of Milwaukee four terms, serving from 1863 to 1867. Since the last named year he has devoted his time exclusively to practice as one of the firm of Jenkins, Elliott & Winkler. At the state election of 1879 Mr. Jenkins was, against his inclinations, the candidate of the democratic party for governor. He entered personally into the contest, as in duty bound, and made a vigorous and able canvass, notwithstanding there was no reasonable expectation of overcoming the large republican majority in the state; standing in the breach, as it were, in deference to the wishes of the great party he represented as its standard bearer in the campaign. Mr. Jenkins married the only daughter of the late eminent Judge A. G. Miller, of Milwaukee.

On the death of Chief Justice Ryan in November, 1880, the important question arose, especially with the legal fraternity, as to who should succeed him on the supreme bench. In this connection a petition was circulated among the lawyers in Milwaukee, and largely signed by members of the bar, without distinction of political parties, asking the governor to promote Judge Cole, the associate justice longest in office, and appoint Mr. Jenkins to fill his place, for the special reason that it would be eminently proper and equitable to place a democrat on the bench to supply the political vacancy created by the death of Judge Ryan who was a democrat. But having advanced Judge Cole to the chief justiceship, Governor Smith came to the conclusion to appoint a republican to succeed him as associate justice, thus settling the matter for the present. That Mr. Jenkins would have honored the supreme bench no one who

knows him would doubt. His legal acquirements, intellectual ability, impartial turn of mind, and purity and dignity of character, eminently fitted him for the responsible and elevated position. On the election of United States senator to succeed Angus Cameron at the session of the legislature of 1881, Mr. Jenkins was the candidate voted for by the democratic members, who were in the minority. The law class of the state university graduating in June, 1881, invited Mr. Jenkins to deliver before them the annual address, and he accepted the invitation with a fine production.

Mr. Jenkins has the reputation of possessing a thorough knowledge of law, with a special forte as an advocate. With a lucid style of reasoning, an easy flow of language, and smooth, pleasant, apparently candid manner in presenting his case to a jury, he is unusually successful in convincing them and gaining his case. Still in his prime the present promises a still more brilliant future.

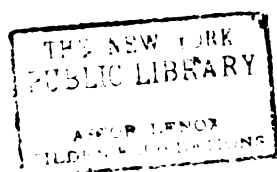
D. H. JOHNSON, Milwaukee, was born near Kingston, Canada West, now Ontario, July 21, 1825, and attended the common and grammar schools of his native place for about four years before he came to the states. He subsequently attended Rock River Seminary at Mount Morris, Illinois, one year. Most of the time from 1842 to 1849 he was engaged in teaching. The intervals of his time he occupied in reading law without any instructor, and without the aid of office work. In 1849 he was admitted to the bar at the Crawford county circuit court, and practiced law in that county with the exception of two or three years, when he published the *Prairie du Chien Courier* from 1849 to 1861. He was member of the assembly in 1861 from Crawford and Bad Ax, now Vernon counties, and was assistant attorney-general part of 1861 and 1862. He went south in 1862, and was for some months engaged as clerk in the pay department. In the fall of the same year he came to Milwaukee where he has since been engaged in the practice of his profession. In 1869 and 1870 he represented the 7th ward in the assembly. From 1878 to 1880 he was city attorney. He has, at various times held partnership relations with Leander Wyman, R. N. Austin, Nath. Pereles, and H. H. Markham, and for the last seven years with Fred. Rietbrock. L. W. Halsey has been a member of the present firm of Johnson, Rietbrock & Halsey, for some four or five years. Besides the work of his regular profession he finds time to indulge a literary





J. H. Johnson

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taste to some extent, and contribute to the Atlantic Monthly and other periodicals.

CHARLES D. KENDRICK, Milwaukee, was born in Buffalo, New York, January 22, 1849, and came to Milwaukee in 1856, where he was educated. After leaving school he was for several years principal of the fifth district school of Milwaukee. Meantime he studied law, and was admitted in 1875, since when he has been in practice in Milwaukee.

MAXIMILIAN N. LANDO, Milwaukee, was born at Szina, Hungary, in April 1841, his parents being David H. and Rosalie Lando. He received a collegiate education in Hungary; is a graduate of the law department of the Wisconsin State University; was admitted to the bar in April 1869, and has been in practice in Milwaukee since July 1869.

JOHN E. MANN, Milwaukee, was born in Schoharie county, New York, March 4, 1821. His parents were George W. and Elizabeth Mann, who were upright people, and gave their son excellent moral precepts and example. His father was a farmer. John E. entered the sophomore class in Williams College in 1840, and after remaining two terms he left Williams and entered Union college, Schenectady, where he graduated in the classical course in 1843. After graduating he entered the law office of Jacob Houck, Jr., to read law, and was admitted to the bar at Utica, New York, at the general term of the supreme court in 1847. He then commenced practice in Schoharie county, where he pursued his profession seven and a half years. In May, 1854, he came to Wisconsin, and located at West Bend, forming a partnership with L. F. Frisby, which continued until 1859, when he was elected judge of the third circuit to fill the vacancy created by the resignation of C. H. Larrabee. The following April he was elected for a term of six years, and served until January, 1867, at which time he moved to Milwaukee. Immediately he entered into copartnership with F. W. Cutzhausen, which continued until February 5, 1874, at which time he entered upon the duties of judge of the county court, to which position he had been appointed by Governor W. R. Taylor, on the resignation of H. L. Palmer, and this office he still occupies. The county court of Milwaukee county is of high importance, holding, as it does, concurrent jurisdiction with the circuit court to the amount of five

millions of dollars, as well as probate jurisdiction. •While residing in New York he was, at one time, judge advocate of the militia of that state. Though never an extreme partisan, his political views are democratic. On October 22, 1845, he married Catharine Dietz, granddaughter of William Dietz, who was a member of congress during the times of Martin Van Buren and adhered to the political fortunes of that renowned statesman. His father gave him his education, and when that was completed he was thrown upon his own resources.

The characteristics of Judge Mann are those of strong common sense, stern integrity, unremitting industry; and with broad and comprehensive views on general subjects, is accustomed to form conclusions with care and precision. He is a close student, and is eminently sound and well grounded in the fundamental principles of law, which he applies, in the course of his official duties, with discreet impartiality. With brevity in speech, unobtrusive and courteous in demeanor, he is firm in his convictions, strong in his friendships, and an honest man. When the time drew near when the term of his office would expire, in May, 1881, a call was very numerously signed by men and lawyers of high standing and of all political parties, requesting Judge Mann to allow his name to be used as a candidate for another term. To this compliment he gave consent, and was elected by a large majority, in a district opposed to him in politics, and against a very strong republican candidate. No better endorsement of a judicial career could be bestowed upon any citizen.

JAMES A. MALLORY, Milwaukee, was born in Washington county, New York, and removed with his father to western New York, when about six years of age. He was educated in New York, studied law in Buffalo four years, and was admitted to practice in the courts of that state. After a few months' practice in Buffalo he came to Milwaukee, where he practiced his profession till his appointment to the office of judge of the municipal court. He was elected district attorney of Milwaukee county in 1854, and again in 1856, without opposition. He unexpectedly received, from Alexander W. Randall, Governor of Wisconsin, in March 1861, a commission appointing him judge of the municipal court, to fill a vacancy; was elected in April following without opposition, for the unexpired term; was reelected without opposition three times subsequently,—in 1865, 1871 and 1877, and is now the judge of that court.

C. K. MARTIN, Milwaukee, was born at Poughkeepsie, New York, April 16, 1828, his parents being James and Rebecca Martin. He is a graduate of Wesleyan University, Middletown, Connecticut; studied law in Milwaukee in 1856 and 1857 with Emmons & Van Dyke and Brown & Ogden, and was admitted to the bar in July, 1857, since which time he has practiced mostly alone. He was district attorney for Milwaukee county eight years. Mr. Martin is noted as a successful criminal lawyer, having been employed on many notable cases.

HENRY L. PALMER, Milwaukee, was born at Mount Pleasant, Wayne county, Pennsylvania, October 18, 1819. He received a common school education, studied law, and was admitted to the bar. In 1836, at the age of seventeen, he went to West Troy, New York, to reside, and from thence came to Wisconsin in 1849, where he has made his home since that time. He entered upon the practice of the law, which he continued with eminent success until he became president of the Northwestern Life Insurance Company. Previous to that time Mr. Palmer took an active part in politics, was the acknowledged head of the democratic party in this state, and its candidate for governor at the election of 1863. He was member of the assembly in 1853, 1860, 1862 and 1873, of the senate in 1867 and 1868, was speaker of the assembly at the session of 1853 and at the extra session of 1862. While a member of these bodies he was foremost in the duties of legislation. In 1873 he was elected county judge and resigned early in February, 1874, to accept the office of president of the Northwestern Life Insurance Company, of Milwaukee. Relinquishing his very extensive law practice and eschewing active participation in party politics, he has devoted his attention wholly to the interests of the mammoth corporation that he has been preëminently instrumental in building up to the position of one of the first, as it is one of the soundest, in this or any other country. Of a manner the most quiet and retiring, there is, in the subject of our sketch, a power back of it that is comprehensive, clean cut and vigorous. During his career as a lawyer Mr. Palmer had associated with him at different periods gentlemen of celebrity, among whom were the present governor of Colorado, F. W. Pitkin, ex-Chief Justice L. S. Dixon, and D. G. Hooker. His firms were all leading ones of the time, and himself was at their heads.

JAMES H. PAINE, Milwaukee, was born in the State of Connecticut. He descended from a reputable parentage of the old Puritan stock. When quite young he removed with his parents to Vergennes, in the State of Vermont, where he spent his young life. At an early age he was ambitious to obtain an education, but his educational advantages, perhaps unfortunately for him, were limited to only such as were afforded by the common schools of that day. By industry, strict economy, and hard toil at farm work a portion of his time, and by teaching the district school in the winter months, and by improving his opportunities for self culture, he was enabled to acquire a good English education, also to qualify himself for the duties and responsibilities of the legal profession. In 1821 he returned to Painesville in the State of Ohio, where he was first admitted to the bar, and where he immediately entered upon a large and lucrative practice which he retained until 1847, when he removed to this city and became identified with this bar. His standing with the bar was always highly reputable as an honorable practitioner, safe counselor and eloquent advocate. He was associated in his practice in Milwaukee, with his two sons, the late Hortentius Paine and Judge Byron Paine, for several years, and until the early death of the former and the advancement of the latter to the judicial bench of the state. General Paine was a life-long reformer and radical politician. He devoted much of his time, and contributed liberally from his limited pecuniary resources, in the dissemination and the advancement of his peculiar political views.

It is, however, worthy of mention as an evidence of his modesty and unselfishness, that he never held a political office, and never sought or desired official position. His views, particularly on the question of American slavery, were of the most radical type. When those great champions of freedom, William Lloyd Garrison and Gerritt Smith (who ultimately became radicals on the slavery question), were sticking in the bark of gradual emancipation, and were patrons of that deceptive scheme familiarly known in the early times as the Slave-holders Colonization Society, he was the bold, undaunted advocate of the unconditional abolition of slavery in the territories and states of the Union. His earnest, fearless and outspoken advocacy of these principles, in public and private, at home and abroad, gave him great notoriety throughout the Northwest, and particularly in the State of Ohio, as a prominent leader in the anti-slavery party. In the inception of the



anti-slavery agitation in this country, and for years afterward, it cost something to be a pronounced abolitionist. The people of the North held their teachings as dangerous, the South denounced them as treasonable, while on every hand they were regarded as wild and fanatical. To face such a formidable public sentiment, required men of nerve, of great tenacity of purpose and fixedness of principle. These rare qualities General Paine possessed in a marked degree, and during the long and sanguinary conflict between liberty and slavery he was always found in the front and true to his convictions. Whether he always acted wisely we are not called to pass upon at this late day. It is, however, proper to say in this connection, that his peculiar views of American slavery, its wrongs, its dangers, and its method of cure, ultimately became national. And he lived to see their triumph in the overthrow of slavery throughout our broad domain.

When that great fact was accomplished, and the intelligence was wired to this city, in the exuberance of his joy and characteristic of his impulsive nature, he said to the writer of this, "Now I am ready to depart, for I have seen the salvation of the Lord." It is a somewhat remarkable fact that he was apparently taken at his word, for soon thereafter he was stricken down with a fatal though lingering disease, and nevermore was known or seen in the business walks or avocations of his life. He passed away February 19, 1879, at the advanced age of eighty-seven years.

GEORGE H. PAUL, Milwaukee, was born at Danville, Caledonia county, Vermont, March 14, 1826. At eleven years of age he entered the office of the North Star, one of the oldest weekly newspapers of New England, where he remained until the expiration of his term of apprenticeship in 1840. During the ensuing three years he completed his preparation for college at Phillips Academy, and joined the freshman class of Vermont University at Burlington in January, 1844, from which institution he received his graduation degree in 1847, and subsequently the degree of master of arts in course. After the completion of his university studies at Burlington, he became a member of the law class of 1847 at Harvard University, where he remained until January, 1848, when he became editor and proprietor of the Burlington Sentinel. A few months later he started the first regularly published daily paper of that state, and soon after was appointed postmaster at Burlington by President Polk.

Early in the year 1851 he sold the Sentinel newspaper and came to Kenosha, Wisconsin, where he commenced the publication of the Kenosha Democrat. In January, 1853, he was appointed assistant secretary of the Wisconsin senate. In May of the same year he was appointed postmaster at Kenosha, and reappointed in 1857, and held the office until the expiration of his commission in 1861. In April, 1854, he was appointed a member of Governor Barstow's staff. During his residence at Kenosha he was mayor of the city one year and held other important city and county offices. In 1861 he became one of the editors of the New York Daily News, and upon its discontinuance he returned to Wisconsin and became connected with the Milwaukee News, assuming the position of managing editor until January, 1871, when the establishment afterward passed into the hands of a joint stock company. Mr. Paul was president of it until May, 1874, at which time he parted with his interest in the paper.

In 1867 he was elected a member of the Milwaukee Charter Convention held in that year. In 1870 he was a member of the Milwaukee board of school commissioners for two years, but resigned to accept the place of superintendent of schools for Milwaukee city, in which position he remained until May 1871. He was a delegate from the state at large to the national convention which nominated General McClellan for the presidency at Chicago in 1864, and a delegate from the Milwaukee district to the national convention which nominated Mr. Greeley for the presidency at Baltimore in 1872. He was chairman of the democratic state central committee of Wisconsin in 1873 and 1874. In February, 1874, he was appointed a member of the board of regents of Wisconsin University; was chosen its president in May 1874, and holds the office to the present time; was appointed by the governor a member of the board of railroad commissioners for Wisconsin, and this position he continued to occupy until the repeal of the law under which that commission was organized. During the entire period that Mr. Paul was connected with the press, and for some years previous, he was a constant contributor to the newspaper and miscellaneous literature of the time. In 1877 Mr. Paul was elected to the state senate, and was reelected in 1879. He is also a member of the board of trustees of the Milwaukee County Insane Asylum, and vice-president and business manager of the Milwaukee Cement Company. Though admitted as a member of the bar of Milwaukee many years ago, and a student in the study of law

from early life, he has never engaged in the active practice of that profession.

J. V. V. PLATTO, Milwaukee, was born in Schenectady, New York, January 17, 1822, was educated in Albany, studied law with R. W. Peckham, then judge of the court of appeals, and was admitted as an attorney in 1845, by the supreme court of New York. He came to Wisconsin in 1848, commenced practice in Milwaukee, where he has been a successful practitioner to this time, and is one of the oldest lawyers in that city. Mr. Platto served as member of the assembly during the sessions of 1861 and 1862, and when in that body served on a select committee on investigation of state affairs, as, likewise, on the expenditure of the war fund, for which latter committee he made the report.

NATHAN PERELES, Milwaukee, one of the pioneer residents of Milwaukee, was born at Sobotisch, Hungary, Austria, April 2, 1824, his parents having been Herman Pereles and Julia Pereles. His education was received at Sobotisch, Prague and Vienna, Europe and New York. His law study was with G. W. Chapman, Milwaukee, and he was admitted to the bar in Milwaukee, September 11, 1857. His practice was continuously in Milwaukee, and all over the state, and his partners have been R. N. Austin, D. H. Johnson, under the firm of Austin, Pereles & Johnson, afterward, in 1873, Pereles & Chapman, and since 1874, Nath. Pereles & Sons, the latter being James Madison Pereles and Thomas Jefferson Pereles. The father of these sons died January 28, 1879, but the firm still continues Nath. Pereles & Sons. Mr. Pereles was a director of the old LaCrosse and Milwaukee railroad, one of the directors of the Bank of Commerce of Milwaukee, and financial agent for Wisconsin of the Connecticut Mutual Life Insurance Company of Hartford, Connecticut.

ALBERT PHALEN, Milwaukee, was born in the State of Maine, and came to Wisconsin when about two years of age. He studied law, was admitted to the bar, commenced practice at Sheboygan in 1877, where he practiced alone until 1881, when he changed his business and residence to Milwaukee. Mr. Phalen has made a specialty of criminal practice, in which he has acquired a reputation warranted by uniform success, having never lost an important case. His success in jury trials is remarkable, as the records of the cases in which he has been em-

ployed will attest. In civil trials his success is likewise notable for a young practitioner.

HUGH RYAN, Milwaukee, was born in Racine, June 14, 1847, and is a son of Chief Justice Ryan. He grew up and attended school in Milwaukee, then went east and completed his education in New Jersey. He studied law with Attorney-General Edsall, of Illinois, and was admitted to the bar in Wyandotte, Kansas, in 1873, and engaged in the practice of law. He was appointed prosecuting attorney for Rooks county. In 1874 he was admitted to the bar of the Illinois supreme court. He came to Milwaukee in 1876, and entered the office of Judge L. S. Dixon in 1877. He was for some time associate editor of the Commercial Times, of Milwaukee. In 1878 he was appointed United States court commissioner, and since then has also been in the practice of law in Milwaukee.

GEORGE A. STARKWEATHER, Milwaukee, was a native of the State of Connecticut, and was born May 19, 1794. Until the fall of 1813 he worked on his father's farm, and his health having failed he went with a friend to Orange county, New York, with a view to spend the winter and recuperate. It resulted in his taking a common school, which he taught for two years in the town of Walkill, working in the summer season on a farm before and after school hours. He returned to Connecticut in the fall of 1815, taking with him as the fruits of his labor about six hundred dollars. He then commenced preparing for college, and in the fall of 1817, entered Union College, joining the sophomore class. He remained in College until the fall of 1819, when he moved to Coopers-town, Otsego county, New York, and commenced his professional studies with his brother Samuel. He was elected by the faculty of Union one of the first six of his class as a Phi Beta Kappa, and had the third appointment in his class; but his funds being exhausted, he did not return to fulfill his appointment. In the fall of 1820 he went to Ithaca and taught a select school for six months, pursuing his law studies at the same time. He returned to Cooperstown in the spring and paid up his little bills; was admitted as attorney of the supreme court in January, 1823, as counsel in 1826, and solicitors' counsel in chancery in 1831; in September 1842 was admitted as counsel in the district court of the United States for the northern district of New

York, and in 1854 was admitted to the supreme court of the United States. Mr. Starkweather formed a partnership with his brother Samuel, and practiced his profession in the county of Otsego thirty-three years, having purchased his brother's interest in the business in 1831. In 1856 he joined his eldest son, John C. Starkweather, in Milwaukee, where he practiced his profession for ten years. Mr. Starkweather took a very active part in politics. He was challenger at the polls for ten years when the election was held three days, and never missed a day; was twenty years chairman of the democratic corresponding committee of Otsego county, New York, and wrote most of the addresses and resolutions; was frequently a delegate to county senatorial and state conventions; was delegate to the national convention at the time Mr. Van Buren was nominated for president, and was secretary of the convention. The first office he held was commissioner of deeds, elected by the board of supervisors; in 1833 was appointed surrogate of Otsego county; was afterward elected without opposition and held the office for eight years. He was elected town supervisor in his absence, held the office for four years, and was chairman of the board. He was appointed one of the examiners of school teachers for the town of Otsego; took a deep interest in the common school system, and visited the schools of the town without compensation; in 1846 was elected to congress, Otsego and Schoharie forming the congressional district; made a speech in the house of representatives, opposing the extension of slavery, which was formally commented upon by the New York Tribune, Herald, and several other papers. He was commissioned successively adjutant, major, lieutenant-colonel and colonel of the Twelfth regiment, New York State artillery, "and was an efficient and able officer." In 1850 he was appointed a member of the American legal association; in 1834 he became a life member of the colonization society, and in 1847 a life member of the Otsego bible association. He was one of the vestry of Christ Church, Cooperstown, New York, for twenty-seven years. When in Milwaukee he donated 116 volumes of his congressional books to the Young Men's association, and was made an honorary life member thereof. Colonel Starkweather had four sons in the army during the late war of the rebellion, all of whom were volunteers. The venerable and greatly respected Colonel Starkweather died at Cooperstown, New York, October 13, 1878, at the advanced age of eighty-four.

JOSHUA STARK, Milwaukee, was born in Brattleboro, Vermont, August 12, 1828. His parents were Reverend J. L. Stark and Hannah G. Stark, both natives of Bozrah, Connecticut. They removed to the town of Canajoharie, Montgomery county, New York, in the spring of 1839, and in 1842 to the village of Mohawk, Herkimer county, New York. Mr. Stark was educated and prepared for college at the academies in West Brattleboro, Vermont, and Ames, Herkimer and Little Falls, New York; entered Union College at Schenectady in the spring of 1846, joining the sophomore class, and graduated in 1848. From January 1847, to January 1848, he was employed as tutor in the family of Edward C. Marshall, in Fauquier county, Virginia, during which time he pursued the studies of his class, and upon examination was permitted to resume his standing and graduate with the class. In the fall of 1848 he entered the law office of J. N. & D. Lake, at Little Falls, New York, as a student, and remained with them until admitted to the bar by the supreme court of New York, at general term held in Watertown, in July, 1850. About the first of October 1850, he set out for the West, having Milwaukee as destination, coming by rail to New Buffalo, and thence to Milwaukee by boat, arriving October 6, 1850. He formed a law partnership with F. W. Horn, of Cedarburg, Wisconsin, about the twentieth of the same month, and spent the winter in that village, without law practice, but diligently engaged in the study of the German language, until May 19, 1851, when he took up his residence in Milwaukee, where he has ever since pursued the practice of his profession. In the spring of 1853 he was elected city attorney, and held the office one year. In November, 1855, he was chosen as democratic representative from the first ward, then comprising the present first and seventh wards, in the assembly of the state, for the sessions of 1856. He was made chairman of the judiciary committee, and speaker pro tempore, in which latter capacity he presided during a large portion of the adjourned session in September, 1856. During the regular session, the gubernatorial contest between Bashford and Barstow came before the legislature and the supreme court. Mr. Stark refused to join in resistance to the decision and judgment of the supreme court, and aided in preventing a serious collision of the opposing parties. A defalcation in the state treasury, discovered a little before the adjournment, led to the appointment of a joint committee of investigation, and an adjournment of the session until September, 1856,

to receive and act upon the report of the committee. Near the opening of the regular session, communications from holders of scrip issued by the state for the construction of the Fox and Wisconsin improvement, brought to the notice of the legislature the fact that the improvement company, to which the state had, in 1853, transferred the improvement and the congressional grant of lands in its aid, upon condition that it should pay the indebtedness of the state incurred on account of the work, had neglected to comply with this condition, and had permitted coupons for interest to be protested for non-payment, and the credit of the state to be seriously prejudiced. The subject was referred to a select committee of the assembly of which Mr. Stark was chairman, and M. M. Davis, of Portage City, and Charles H. Walker, of Manitowoc, were members. Other matters of importance relating to the improvement company and its execution of the trust conferred upon it by the state came to the knowledge of the committee during the session; but as the committee were unable to report advisedly upon them before the adjournment, the assembly authorized the committee to sit during the recess, and report in September. In July or August the committee visited and inspected the improvement from Portage City to Green Bay, and thoroughly considered the subject of the improvement and of the interests of the state as affected thereby, and reported at length in October, recommending the passage of an act to secure the rights and interests of the state, and the prompt completion of the improvement. The act was passed, and received the approval of the governor, October 3, 1856. It resulted in the speedy payment and extinguishment of all the obligations of the state on account of the improvement.

In June, 1856, congress made a liberal grant of lands to the state for railroad purposes. The disposition of these lands became the leading question at the October session. The prominent events of the session are well known. Mr. Stark came out of the struggle unspotted by the corruptions of the session. In November, 1860, he was elected district attorney of Milwaukee county, and held the office for two years from January 1, 1861. Though not in the military service, he aided, during the war, to keep alive the courage and patriotism of the north; attended war meetings, and urged the prompt recruiting of our regiments, and was in hearty sympathy with the cause of the Union. In September, 1871, he was appointed school commissioner for the seventh ward, and served until June 1873, when he resigned to undertake the

work of revising and consolidating the charter and ordinances of the city of Milwaukee. This work being completed, in April 1874 he was again chosen school commissioner of the same board, which office he still holds. In May, 1875, he was elected president of the school board, and has been reelected each year since that time, and is now serving for the sixth year. Mr. Stark was one of the pioneer lawyers of Milwaukee, and has always held a prominent position at the bar of the city, and is of high standing in the fraternity. His partner is now Moses H. Brand, a young and promising lawyer. Mr. Stark has taken great interest in educational matters in the city, as a member of the school board, and its presiding officer.

E. P. SMITH, Milwaukee, was born in Burlington, Vermont, February 18, 1827. His father, the late Reverend Reuben Smith, was a Presbyterian minister of marked talents and power, for many years located at Ballston Spa, Saratoga county, New York. The subject of this sketch was prepared for college under the tuition of Professor Taylor Lewis, and graduated at Union College in the class of 1847. Intending to devote himself to the practice of law Mr. Smith came west after completing his preparatory studies and entered the law office of Finch & Lynde, in the city of Milwaukee, where he remained until his admission to the bar. In October, 1849, he removed to Beaver Dam, then a small but growing place, and soon succeeded in building up a lucrative practice and establishing himself in the confidence of the community. He was the second mayor of the city of Beaver Dam and afterward twice elected at different periods to the same office. In 1872 Mr. Smith removed to Milwaukee, carrying with him the reputation of an able, thorough and successful lawyer, and was at once recognized as entitled to stand in the front rank of his profession.

AMOS A. L. SMITH, Milwaukee, was born at Appleton, September 8, 1849, is the son of Reeder and Eliza P. Smith, and the first white child born in Appleton. His father enjoys the credit of having been the founder of the city of Appleton, as the agent of Amos A. Lawrence, of Boston, who was proprietor of the land upon which the city now stands, and has, moreover, been a conspicuous citizen of Wisconsin. A. A. L. Smith was prepared for college at the Lawrence University at Appleton, completing the sophomore year at that institution, and entered the

Northwestern University at Evanston, Illinois, in September, 1869, from which he graduated in full classical course in 1872, taking the highest prizes for oratory and English composition. When at the university he was a prominent debater in the literary societies of the institution; was for two years editor of the college paper, took several special studies in the department of engineering in addition to his regular course; in languages he was quite proficient, having in his college course read the whole trilogy of Æschylus in addition to the Greek prescribed, and wrote a Greek oration.

Immediately after his graduation Mr. Smith became a traveling correspondent for the Chicago Inter Ocean, and after a few months became united with the editorial force of the city department of the paper, where for about two years he labored industriously. The offices of the Inter Ocean, commencing soon after the great Chicago fire, were located in buildings connected with the office and residence of J. Y. Scammon, proprietor of the paper, whose extensive law library afforded Mr. Smith an opportunity to pursue the study of law, which at the invitation of Mr. Scammon he improved. In 1874 he came to Milwaukee, where he completed his law studies, was admitted to the bar the same year, and commenced practice of the profession in the office of Carpenter & Murphy, through an invitation extended by Senator Carpenter. Here for two years, and especially during the absence of Mr. Carpenter at Washington, Mr. Smith assisted in the preparation of cases, and participated in many of the trials conducted by the firm. On May 20, 1874, Mr. Smith married Miss Frances Louise Brown, of Chicago, with whom he had formed an acquaintance while attending college at Evanston, at which village her father has an elegant summer residence, one of the finest in any of the suburbs of Chicago. In making, at an early age of his life, this matrimonial alliance, Mr. Smith has been peculiarly fortunate. Domestic in his tendencies, he is blessed in having a wife who is well calculated to make home happy. Uniting with an attractive person, a thorough education, an amiable temper, and considerable accomplishments, she is beloved by all who know her, and, with fine musical tastes, is a remarkably skillful performer on the piano. Their children are Laura Louise, who was born June 16, 1876, and Philip Reeder, born January 8, 1878.

When Mr. Carpenter returned to Milwaukee at the close of his first term in the United States senate in March, 1876, and resumed

his law practice, Mr. Smith removed from the office of Carpenter & Murphy, rented the office and library of E. G. Ryan, who had recently gone on the supreme bench as chief justice, and began the practice of law on his own account. Devoting himself assiduously to his business, he alone had acquired a large and valuable practice, when, in the latter part of the same year, Senator Carpenter and Winfield Smith invited him to join them and form the law firm of Carpenter & Smiths, which was accepted. Upon the death of Mr. Carpenter in 1881 the firm became Winfield & A. A. L. Smith, and is continued as such. In his political tendencies Mr. Smith has always been a straight republican; in religion he is a member of a congregational church, and socially is fond of home and books. No better comment can be made upon the solid merits of Mr. Smith than to add that he was especially esteemed by Mr. Carpenter, and was his trusted confidant and personal friend, and is now holding similar relations with Mr. Winfield Smith. To have been in business with gentlemen of their distinction, may be truly considered an honor to any man, and especially to one so young in years as Mr. A. A. L. Smith.

TRUMAN WILLCOX SAUNDERS, Milwaukee, was born in Rensselaer county, New York, January 22, 1847. He graduated from Williams College in 1873, and was immediately after engaged for three years as Professor of Greek in Milton College, Wisconsin. He left the latter institution in 1876, and taught for one year in Markham's Academy, Milwaukee. From 1877 to 1878 he read law with Judge J. Gibson, in Salem, New York, and was admitted to the bar in Milwaukee in the fall of 1878. He at once began his practice in Milwaukee, and while meeting with good success he was cut off when only thirty-four years of age by sudden sickness at his home in that city, to the grief of his many friends, who know that a purer, truer and pleasanter man never lived. He left a young and accomplished wife and one interesting child.

FRANK B. VAN VALKENBURGH, Milwaukee, was born in Plattsburgh, Steuben county, New York, February 21, 1835, and received his education in the common schools of that state. He began the study of law with Rumsy & Van Valkenburgh, of Bath, New York, and subsequently removed to Milwaukee, where he was admitted to the practice of his profession, February 21, 1856. He was a member of the firm of Waldo, Ody & Van, of Milwaukee, and is now alone in business.

O. H. WALDO, Milwaukee, was born in Prattsburgh, New York, April 1, 1822. His father was a farmer and until seventeen years of age Otis remained at home working hard with brain and hand. He entered Union College in 1839, and notwithstanding the fact that his sight failed him in the last years of his study he graduated in both the literary and classical courses with honor in 1842. Mr. Waldo's health was not good, and he left home for the more genial climate of the south, settling in Natchez, where he studied law with John A. Quitman, and was admitted to the bar in 1849 at that place. The young lawyer did not agree with the peculiar political ideas of the south, however; they were distasteful to his republicanism, even at this early day, and accordingly he decided to locate in the west, and came to Milwaukee in the autumn of 1849. In the spring of 1850 he married the daughter of J. Van Valkenburgh, of Pontiac, Michigan, and immediately commenced his career as one of the most thorough and conscientious lawyers who ever practiced in the courts of any state. He took an active interest in all public enterprises for over twenty years, and to his labors may be greatly traced the success of some of the railroad enterprises which are at the basis of the city's prosperity. To his efforts are largely due the construction of the Milwaukee & Northern Railroad.

EMIL WALLBER, Milwaukee. There are among the members of the Wisconsin bar, those who have achieved a high standing as legal practitioners who came to this country from abroad at an early period of their lives, and have remained here, grown up within its institutions, filled places of public trust with ability and fidelity, and become an honor to the state. Among the younger men of this class is the subject of this sketch. Emil Wallber was born in the city of Berlin, Prussia, April 1, 1841, and came to the city of New York with his parents in the year 1850. The son received his education at the New York Free Academy. The family left that city in 1855 and came to Milwaukee, where they settled, and Emil commenced the study of law in the office of Winfield Smith and Edward Salomon. He was admitted to practice at the bar in 1864, and in 1862 commenced public life as chief clerk of the executive office at Madison, which office he held until 1863, which was during the term of Governor Salomon as executive of the state. He was then appointed, in 1864, assistant attorney-general and served until 1866. In Milwaukee Mr. Wallber has been much identified with the

interests of the public schools, having served as school commissioner for the sixth ward, from April 27, 1870 to 1873, and was president of the board of school commissioners for 1871 and 1872. The latter year he was member of the assembly in which he took a leading part and was member of important committees of that body. In 1873 he was elected city attorney, and held the office by reelection until 1878, when he declined to be again a candidate, choosing to apply himself to the legitimate practice of the law, accepting, however, the office of court commissioner in 1878, and now continues to administer its functions. At the election of city attorney in 1880, Mr. Wallber was strongly urged to accept a nomination, which he respectfully declined. Mr. Wallber is one of the most genial of gentlemen, a straight-forward lawyer, and a reliable man. The many stations of public duty that he has been called to occupy have been filled with distinguished ability and universal acceptance. Few have been called to serve in public capacities at so young an age, and none have discharged the responsibilities of office more worthily.

In June, 1882, a Milwaukee daily paper said: "The election of Emil Wallber, of this city, to be president of the National Association of Turners, is peculiarly an honor to the turners of Milwaukee and Wisconsin, and incidentally a marked compliment to the city and state. The distinction is one of which Mr. Wallber has the right to be proud."

FREDERIC C. WINKLER, Milwaukee, was born in Bremen, Germany, March 15, 1838. His parents emigrated to the United States when he was six years of age, and located in Milwaukee. His education was obtained in the public and private schools in Milwaukee, and under the private tuition of Professor Engelman. Mr. Winkler taught school before reaching his eighteenth year, and at this age commenced the study of law in the office of H. L. Palmer, Milwaukee, where, teaching school in the winter months, he remained a student until the fall of 1858, when he entered the office of Abbott, Gregory & Pinney, at Madison, as clerk. While there he was, April 19, 1859, admitted to the bar in the circuit court of Dane county after a thorough examination in open court. Shortly after this event he returned to Milwaukee and entered upon the practice of his profession. Immediately after the breaking out of the war his partner, G. Von Deutsch, entered the cavalry service, leaving the business in Mr. Winkler's hands. In 1862 when the appeal for more troops became

urgent, Mr. Winkler gave up his business and recruited Company B, of the twenty-sixth Wisconsin regiment, of which he was elected captain. The regiment left the state early in October and was assigned to the eleventh corps of the army of the Potomac, then commanded by General Sigel. During the succeeding winter Captain Winkler was constantly employed as judge-advocate in courts-martial at corps headquarters. At the opening of the campaign the next spring he was assigned to the staff of General Schurz, who was commanding a division of the corps, participated in the battles of Chancellorsville and Gettysburg, and temporarily took charge of the regiment during the latter battle. Afterward he remained with the regiment as second in command. After the battle of Chickamauga the regiment was transferred to the west, as a part of General Hooker's forces that were sent to the relief of Rosecrans. Shortly afterward the colonel of the regiment resigned, and Captain Winkler thenceforth commanded the regiment, being successively promoted through the various grades to that of colonel. Under his command the regiment took part in the battle of Mission Ridge in 1863; the Atlanta campaign with its battles and countless skirmishes in 1864; the march to the sea, and thence north through the Carolinas, winning the reputation of a brave and well conducted fighting regiment. It never met with a reverse or marched in retreat while under Colonel Winkler's command. Upon the close of the war, in 1865, he was appointed Brevet Brigadier-General.

Returning to Milwaukee, General Winkler resumed the practice of law, and in 1867 became associated with A. R. R. Butler. In 1872 he was a member of the assembly in the state legislature, and was the republican nominee, the same year, for congress in the Milwaukee district, then largely democratic.

W. C. WILLIAMS, Milwaukee, was born in the town of Darien, Wisconsin, April 7, 1852. He completed his education at Ripon College, and studied law in Milwaukee with Carpenter & Murphey and with Butler & Winkler. He was admitted to the bar at Milwaukee, and there entered upon his professional career. He was first associated with Mr. Merrill, under the firm of Williams & Merrill, and was then alone in his practice until 1878, when he became a member of the firm of Butler, Williams & Butler. He is now associated with E. S. Elliott, under the firm of Williams & Elliott. In November, 1880, Mr. Williams was elected city attorney of Milwaukee.

AUGUSTUS GORDON WEISSERT, Milwaukee, was born August 7, 1843, at Canton, Stark county, Ohio. His father was a merchant and old resident of that place, going thither from New York city. In 1848, his parents coming west, he located with them at Racine, Wisconsin; graduated at the Racine High School, and afterward at the University of Michigan, where he received the degree of LL. B. He was for sometime connected with the press, and studied law. At the outbreak of the late war, being then in New York, he returned to his home at Racine and entered the army early in September, 1861, in the eighth regiment Wisconsin volunteer infantry, and which was afterward known as the famous live eagle regiment. He served with this command over four years, and was promoted and afterward brevetted captain for meritorious conduct on various battle fields. He was appointed by President Lincoln cadet to the United States Military Academy at West Point, but was obliged to decline the appointment on account of wounds received in battle. He participated with his regiment in a large number of battles and still carries a bullet in his person received in a charge on the enemies' works at the battle of Nashville, Tennessee. He has never recovered from this wound, the same never having healed. He has held several public positions: was admitted to the bar in 1866. He has been and is now successfully practicing his profession; is a member of the Milwaukee board of school commissioners, and has been a resident of Milwaukee since the close of the war.

EDWIN HURLBUT, Oconomowoc, is a son of Philander Hurlbut, an attorney and farmer, and was born in Newtown, Connecticut, October 10, 1817. Both of his grandfathers fought in the American revolution, and his father participated in the war of 1812 to 1815. The family moved to Bradford county, Pennsylvania, when Edwin was about seven years old. There he remained about eight years, and enjoyed the educational advantages that a common school afforded. At the end of that time he started for New Jersey, walking all the way to Newark, where he lived a year, and then started westward. He tarried a short time in Eaton county, Michigan, and afterward returned to the East and studied law at Lodi Seneca county, New York. Proceeding to Towanda, Pennsylvania, in 1842, he resumed the study of law, and was admitted to the bar in 1847. He returned to Michigan the same year, and settled at Mason, Ingham county, and commenced practice. He was appointed postmaster at that place in 1848, district attorney the

same year, and a little later received from Governor Ransen the appointment of judge advocate in the state militia with the rank of colonel. In April, 1850, Colonel Hurlbut settled at Oconomowoc, where he has been in the practice of law twenty-seven years. During the first year of his practice in Wisconsin he was appointed attorney of the Milwaukee, Watertown & Madison plank-road; was elected district attorney in 1856, holding the office two years, and in 1858 was appointed attorney for what was then known as the Milwaukee, Beaver Dam & Baraboo railroad, now a branch of the Chicago, Milwaukee & St. Paul road, and held that position several years. At the opening of the rebellion, in the spring of 1861, Colonel Hurlbut was appointed colonel on Governor Randall's staff, and was active in recruiting soldiers for the Union army. He went to Washington with the Fourth Wisconsin Infantry, and had a position in the state commissary department, had the inspection of troops, and before the close of the year was again appointed governor's aid. In 1862 he was appointed deputy United States marshal, with provost marshal's powers. He was tendered the colonelcy of one of the Wisconsin regiments, but declined.

Colonel Hurlbut was a member of the general assembly in the session of 1869. He was chairman of the committee on federal relations, and a member of other committees. The next year Governor Fairchild appointed him to represent the governor at the international congress on penitentiary and reformatory discipline, of which congress Rutherford B. Hayes was president. Colonel Hurlbut is known as a humanitarian, and in 1872 was appointed a delegate to the International Penitentiary Congress, which met in London. Two years later he was a member of the National Prison Congress, held in St. Louis, and was made one of its trustees, and put on the committee on criminal law reform. In 1875 he became a trustee of the National Prison Association of New York, and was placed on the committee on discharged convicts. Colonel Hurlbut has held various offices in the village and city of Oconomowoc, one of them being that of clerk of the school board, which he held about twelve years. He was a member of the board of managers of the state industrial school, located at Waukesha. In politics, Colonel Hurlbut was a democrat until 1854, when he aided in forming the republican party at Madison, with which he acted until 1872, when he supported Horace Greeley for President. It was by the reform party, then dominant in the state, that he was elected district attorney of Waukesha

county in 1873. He is editor and proprietor of the *Wisconsin Free Press*, a weekly newspaper published in Oconomowoc, and devoted to the interests of the reform party. He is a member of Waukesha chapter of the Masonic fraternity, and was grand worthy patriarch of the state in the order of Sons of Temperance in 1853. He has probably the largest and best law library in Waukesha county. Colonel Hurlbut was married in October, 1840, to Miss Chandler, of Seneca county, New York.

VERNON TICHENOR, Waukesha, is the son of Moses and Abby Paul Tichenor, and was born at Amsterdam, New York, August 28, 1815. Vernon was prepared for college at the Amsterdam Academy, and graduated at Union College in 1835, on the verge of entering upon his twenty-first year. He studied law with David P. Corey, at Amsterdam; was admitted to the bar at Albany in October 1838; the following year opened a law office at Waukesha, and was the first lawyer to put out a shingle in that then Indian wilderness town, now famous as a summer watering-place. Mr. Tichenor is a noted office lawyer; was magistrate many years, in which capacity he executed a great variety of business; was the first town clerk of Waukesha, serving several years; has been court commissioner twenty years; has long been a member of the school board; three or four terms president of the village; was draft commissioner in 1862; member of assembly in 1869; is local attorney for the Chicago, Milwaukee & St. Paul railroad, and president of the board of trustees of Carroll county, Waukesha. Mr. Tichenor married Miss Charlotte Sears, August 19, 1838, and has three children.

ALEXANDER COOK, Waukesha, was born at Sharon Springs, Schoharie county, New York, March 1, 1820. His parents were John R. and Maria Coon Cook. Mr. Cook was educated at Clinton, New York, at Hamilton College and the Liberal Institute at that place. He read law in the city of Syracuse, and was admitted to the bar in 1843. He came to Wisconsin in 1845, and in August of that year located at Waukesha, where he has been in the practice of law to the present time. He filled the office of town clerk two terms and was district attorney eight terms, and justice of the peace eight terms, having held one or the other of these offices ever since he came to Waukesha. He married Miss Nancy Stevens, of New York State, February 1, 1843. They had one son, who lost his life in the army, January 23, 1863.

E. W. CHAFIN, Waukesha, was born in Waukesha, Wisconsin, November 1, 1852, and is self-educated. He was a member of the State University law class, which was graduated in 1875. The year succeeding his graduation he opened an office in Waukesha, where he has since been in practice alone. In 1876 he published the Voters' Hand-Book.

THIRD CIRCUIT.

CHARLES BARBER, Oshkosh, was born at Burlington, Vermont, September 21, 1851. He was the son of Dr. A. P. and K. E. Barber, who afterward emigrated to the west and located at Oshkosh, Wisconsin. It was there where Charles received his school education, graduating from the high school of that town in 1868.

He commenced the study of law with E. P. Finch, Oshkosh; afterward went to Columbia law school, New York, and graduated from that institution in May, 1874. The same year he entered as a partner in the office of his former teacher, E. P. Finch, and the connection still continues. During that year he was appointed inspector of the Oshkosh High School.

HENRY BAILEY, Oshkosh, the son of John Bailey, was born at Parsonsfield, York county, Maine, October 18, 1842. He availed himself of such educational advantages as the town of Effingham, New Hampshire, afforded. His preparation for the legal profession was completed at the office of Moses Hooper, Oshkosh, in 1866; was admitted to the bar at Oshkosh, which city has ever since continued to be his home, and where he has adhered faithfully to his work as a lawyer. On the breaking out of the war Mr. Bailey was filled with popular enthusiasm of the time and entered the army as captain of Fifty-first Wisconsin infantry.

CHESTER D. CLEVELAND, Oshkosh, was born at Winchester, Connecticut, October 22, 1839, and is the son of Rufus and Sarah Cleveland.

The young man, after pursuing the usual course at the common school, was sent to Williston Seminary to prepare for college. After graduating from Williston Seminary he commenced the study of law with Elisha Johnson, of Hartford, Connecticut, where he remained until the breaking out of the war in 1861, when he entered the army. After the close of the war he was admitted to the bar at Litchfield, Connecticut,

in 1865. He then entered the Yale law school from whence he graduated, in 1866, and during the fall of that year took up his residence at Oshkosh, and from that time until the present has continued in the practice of his profession.

Mr. Cleveland participated in the war of the rebellion, entering as a private and working his way up through the several grades until he was appointed to the lieutenant-colonelcy of the Second Connecticut artillery. He was present at the battles of Bull Run and Appomattox, and was in many battles during the memorable struggle for the maintenance of the Union.

A. E. DUNLAP, Berlin, was born September 14, 1847, at Oswego, New York. He came to Wisconsin in 1852, and lived for thirteen years on a farm in Washara county. In the winter of 1865 Mr. Dunlap, then only seventeen years of age, enlisted in the Forty-seventh regiment and was mustered out in the following September. In 1866 he commenced a course of study at Oberlin College, Ohio, continuing there for some years. He returned to Wisconsin in 1877, and went into the office of Warren & Ryan, Berlin, as a law student. He was admitted to the bar January 18, 1879, and subsequently formed a partnership with D. Junor.

MENGO HALL EATON, Oshkosh, a native of Oshkosh, was born February 3, 1851. His parents were Jefferson and Jane M. Eaton, who are owners of a beautiful farm near the city of Oshkosh, where the subject of our sketch passed his life until his nineteenth year, when he was sent to Ripon College for the purpose of receiving a more liberal education than could be acquired in rural districts. He afterward took an academical course at Lawrence University, Appleton. He commenced the study of law in the office of Finch & Felker, and completed the same while in the office of Jackson & Halsey, and on December 16, 1873, was admitted to the bar, and commenced the practice of law at Oshkosh. Mr. Eaton is a republican in politics, and a ready stump speaker. During the years of 1879, 1880 and 1881 he has held the office of city attorney of Oshkosh, and has performed the duties of the office in such a manner as has given satisfaction to his constituents and credit to himself.

CHARLES W. FELKER, Oshkosh, was born in the State of New York, November 25, 1834, came to Wisconsin with his parents, Andrew and Maria Pixley Felker, in the spring of 1847, and settled in Winnebago county, where he has continued to reside until the present time. Mr. Felker is a lawyer, and in politics a democrat. He resides at the city of Oshkosh, Wisconsin.

EARL PIERCE FINCH, Oshkosh, was born at Jay, Essex county, New York, October 27, 1828. He acquired, at Union College, New York, as thorough an education as the advantages of that period would allow. After graduation he fell into the tide of emigration which was then sweeping westward, and coming to Oshkosh, Wisconsin, he entered as a student, the law office of Judge Edwin Wheeler. In the year 1859 he had completed his law studies, and in the same year was admitted to the bar. He immediately entered on the practice of his profession, at Oshkosh, and has ever since continued to be one of the most successful lawyers of that section of the state.

JAMES FREEMAN, Oshkosh, was born in Cleveland, Ohio, March 19, 1827, and was educated in the University in Ohio. He read law with Samuel Stevenson, at Cleveland and was admitted to the bar by the supreme court of Ohio at Columbus, December 4, 1850. He practiced one year in Cleveland, and then removed to Muskegon, Illinois; practiced two years in Muskegon and Chicago, and came to Oshkosh in December, 1854, and engaged in practice, which he continued until 1862, when he raised a company for the war, was assigned to the Thirty-second regiment, and went to the front and served with gallantry and distinction to the close of the war, returning to Oshkosh in July, 1865, when he resumed practice, and has continued to the present time.

GEORGE GARY, Oshkosh, was born March 16, 1824, at Potsdam, St. Lawrence county, New York. From early childhood he was afflicted with a disease of the eyes, from which he has suffered during his lifetime, causing a constant inflammation, and during the whole period of his childhood and youth rendering any continuous application to study or any pursuit impracticable. He received such education in the common English branches as could be acquired by a very irregular attendance at the common schools of that period and at two or three terms of

an academy at Keenville, New York. At the age of twenty-one he embarked on a whaling voyage to the Pacific Ocean. After an absence of something more than two years he returned home in the fall of 1847 with eyes considerably improved. After two years spent in teaching a country school and miscellaneous pursuits, in the spring of 1850, after a surgical operation by which his eyes were further improved, he emigrated to Wisconsin and located at the city, then village, of Oshkosh, where he spent several years as clerk in a forwarding and transportation business. He was elected and served as a member of the legislature in the sessions of 1854 and 1855, and served as speaker pro tempore (which was then an office for the session) in 1855. In 1857 he was elected clerk of the court of Winnebago county, to fill a vacancy, and was reëlected and retained the position till January 1, 1861. Having read law during his service as clerk and before, he was admitted to the bar in April, 1861. In 1862, upon the passage of the internal revenue law, he was appointed assessor for the then fifth district of Wisconsin, comprising thirteen counties, which position he resigned in the spring of 1865; was state senator in 1867, and resigned after one year to take the position of register in bankruptcy, which he also resigned in 1869 to take the office of county judge, which he has held from January 1, 1870, to March, 1882, when he resigned on account of insufficiency of salary. Judge Gary has had some experience as an editor of newspapers, and is the author of Gary's Probate Law.

H. B. HARSHAW, Oshkosh, was born in Argyle, Washington county, New York, June 13, 1842, came to Wisconsin in 1851, and to Oshkosh, where he received his education and has since resided. At the first call for troops for the late war, Colonel Harshaw enlisted April 18, 1861, in company C, second regiment, Wisconsin infantry, rose to the rank of colonel, lost an arm while on duty, and was mustered out June 28, 1864, by reason of expiration of term of service. In the fall of 1864 he was elected clerk of the circuit court of Winnebago county, and served in that capacity until January 1, 1878, when he resigned the office. In 1875 he was admitted to the bar, and in January, 1879, formed a copartnership with A. W. Weisbrod, and they are together practicing in Oshkosh, the firm being Weisbrod & Harshaw. Colonel Harshaw was appointed postmaster at Oshkosh in 1878, and is now holding the office.

EMMETT REUBEN HICKS, Oshkosh. The subject of this sketch, now a practicing lawyer at Oshkosh, was born at Waukau, Winnebago county, Wisconsin, March 7, 1854, of R. P. and Sophia B. Hicks. He is a graduate of the academic and law departments of the State University of Wisconsin, the former course having been completed in 1876, the latter in 1880. He also received the degree of master of arts from the same institution in June, 1880. Mr. Hicks further prepared himself for the legal profession in the offices of Eli Hooker, Waupun, and J. H. Carpenter, Madison. In June, 1880, he was admitted to practice in the state and United States courts, and at once opened a law office in Oshkosh, and without the aid of a partner is steadily acquiring a satisfactory practice.

HEMAN B. JACKSON, Oshkosh, is a native of Naperville, Illinois, which place at the time of his birth consisted of a handful of huts, and was a mere settlement among the savages, who then roamed through that country. H. B. Jackson was born on July 24, 1837, and is the son of William and Lucy Babbitt Jackson. He was educated in the seminaries at Warrenville and Elgin, Illinois, and later he attended the Western Reserve College at Hiram, Ohio. He states, with pride, that he succeeded in attending college by means of his own personal efforts, and the practice of the most rigid economy. While at college he boarded himself at an expense not exceeding seventy-five cents per week. At the close of his studies there he engaged in teaching two terms of district school, and then began the study of law with Joslin and Gifford, at Elgin, Illinois.

At the early age of twenty years he was admitted to the Illinois bar, in 1857. Going from Elgin to Crystal Lake, Illinois, he first hung out his shingle there. That field proving too limited for his youthful aspirations, he removed in the spring of 1859 to his present home in Oshkosh, and entered upon a practice of his profession, which has since become large and remunerative. The firm of Jackson & Halsey was formed in 1865, and that of Jackson & Thompson in 1880, Mr. Halsey going out and A. E. Thompson coming in. Mr. Jackson was admitted to practice in all the courts of record in Illinois, while a resident of that state. In 1863 his practice first called him to the bar of the supreme court of Wisconsin, and in the same year he was admitted to the United States circuit and district courts. A reference to the court reports

shows that in a large majority of his cases he has been successful. He is an ardent and earnest advocate, and zealously makes his client's cause his own. At the opening of the war he was deeply interested in the Union cause, and prompted by his patriotic nature he was among the very first to enlist for the war, which was on April 21, 1861, at Oshkosh, and entered the army as second lieutenant of Company E, Second regiment Wisconsin volunteer infantry. Afterward he was promoted to a position on the staff of General W. T. Sherman. He acted in the capacity of staff-officer at the battle of Bull Run, and continued on General Sherman's staff until, on account of a serious and permanent injury, he was compelled to quit the service during the same year. This was the more regretted for the reason that subsequent events of the war placed his chief on the very pinnacle of military fame. Nothing remained for him on leaving the army but to resume his legal practice, which he did at the same place from which he entered the military service. He was twice elected city attorney of Oshkosh. In 1864 he became district attorney, and was reelected to that office in 1868. In 1875 he was nominated by the republican party of his district as its candidate for member of the state legislature, but through local causes, was defeated.

Previous to the great fire of Oshkosh in 1875, he had erected several large blocks, which, together with millions of property of his neighbors, were destroyed. He has ever kept foremost among those who sought to promote the public good by supplying public libraries, establishing lecture courses and in other ways. Mr. Jackson was married on June 14, 1862, to Miss Annett L. Harwood, by whom he has three daughters.

DAVID JUNOR, Berlin, was born at London, Canada, July 20, 1842. He received an excellent education at the Toronto University, and graduated in 1866 from that institution, from which also he received the degree of Master of Arts in 1868. He studied law at St. Mary's, and was admitted to the bar at Toronto in 1869. He practiced for three years at St. Mary's, in partnership with J. E. Harding, the same lawyer with whom he had formerly studied. He came to the United States in 1872, and purchased the Berlin Courant, one of the oldest papers in the State of Wisconsin, published at Berlin, Wisconsin, and in the following year was admitted to the bar. During the two years after his admission he was principal of the Berlin High School, and from 1877 to 1879 occupied



the same position in the city of Sanganio, Michigan. In 1879 he returned to Berlin, and resumed the publication of the *Courant*. At the same time he began the practice of law, in partnership with A. E. Dunlap, which partnership was dissolved in 1880, when Mr. Dunlap was elected clerk of circuit court for Green Lake county.

JAMES C. KERWIN, Neenah, was born in the town of Menasha, Wisconsin, May 4, 1850, his parents being Michael and Mary Kerwin. He lived at Menasha during the early part of his life, worked on his father's farm, attended the high school of that place from which he graduated from a regular course, and his education was finally completed at the State University. He studied law with A. L. Collins, Menasha, and graduated at the law school of the university. Previously admitted to the bar at the circuit court of Dane county, he was admitted to the supreme court in 1875, and to the United States district court by Judge Charles E. Dyer, July 10, 1878, at the Oshkosh term of that year. Since his admission he has applied himself, with unremitting energy, to the practice of his profession at Neenah, having no partner.

P. V. LAWSON, Menasha, though not a native of Wisconsin, became one of its inhabitants during his early life, and acquired in this state the greater part of his education. He is the son of P. V. and Elizabeth Lawson, and was born in Corning, New York, November 1, 1853. As has been said he received his education in Wisconsin, being a graduate of the literary and law departments of the State University, and he also read law at Madison, with William F. Vilas. On July 10, 1877, he was admitted to practice in the Circuit courts, on August 28, of the same year, to the supreme court of the state, and in September following to the United States courts. He has been settled in practice at Menasha, without a partner, and has filled the respective offices of supervisor in the county board and court commissioner of the third circuit.

For a lawyer so young in years and practice Mr. Lawson has an uncommonly large law library, to which he is constantly adding rare and valuable works, and is starting out in his profession under the most favorable auspices. Settling down, as he has, at the place of his early home, is evidence that those who have known him always can be relied upon to entrust to him their legal business, and it is safe to say his practice so far has been satisfactory and is increasing.

THOMAS LYNCH, Chilton, was born in Milwaukee county, Wisconsin, November 21, 1844, was educated in the public schools of his native place and came to Chilton in 1864, where he worked on a farm summers and taught school winters from 1867 to 1871, during which time he was chairman of the town, and one year chairman of the county board. In 1872 he was elected a member of the assembly of the state legislature, and, while a member, commenced the study of law with J. C. McMullen and graduated at the law school of the State University in the class of 1875. On being admitted to the bar by the supreme court he commenced practice at Chilton with J. C. McMullen which connection continued until January, 1878, since which time he has been alone in business. In 1878 Mr. Lynch was elected district attorney, reelected in 1880, and is now holding the office.

JAMES H. MERRILL, Oshkosh, was born at Batavia, Genesee county, New York, February 9, 1846. His father, James D. Merrill, was a leading lawyer at that place. In 1849 Mr. Merrill's father removed to Milwaukee, where, in 1850, he was appointed, by his life-long friend President Fillmore, postmaster. The subject of this sketch, in 1863, entered the United States navy, serving on the U. S. S. Eastport, of the Mississippi squadron, and participated in the siege of Vicksburg, and the disastrous Red river expedition. After serving his time he was discharged and returned home, and subsequently enlisted in Company B, of the Forty-seventh Wisconsin infantry, and remained in the service till the close of the war, when he commenced the study of law in New York city, and was admitted to the bar at Elkhorn, this state, September 22, 1868, by Judge Lyon, then the circuit judge of the first circuit, and now on the supreme bench. In 1869 Mr. Merrill entered upon practice at Winneconne where he remained nearly seven years, during which time he was repeatedly elected president of the town board, and president of the village of Winneconne. In 1875 he removed to Oshkosh, where he has since practiced, having served the city two years as city attorney.

WILLIAM FRAZER MCARTHUR, Neenah, was born at Cornwall, Ontario, April 17, 1852. He was educated at the schools of Cornwall and Montreal; pursued his legal studies in the offices of Burke & Kil-

bourne, Malone, New York, and J. C. Kerwin, Neenah, Wisconsin, and also in the law school of the State University in the classes of 1876 and 1877. He was admitted to practice at Oshkosh, September 24, 1877 when he settled at Neenah, and has kept a law office in that city since that time.

JOHN McDONNELL, Oshkosh, was born in the town of Vinland, Winnebago county, Wisconsin, November 25, 1857. We received a common school education. Early in life he decided upon following the profession of law, and entered, as a student, in a law office at Oshkosh. He was admitted to the bar in the circuit court of Wisconsin in the year 1880, and is now practicing his profession in the city of Oshkosh.

A. A. NUGENT, Chilton, was born in Canada, May 12, 1848, and came to the United States when three years old, remaining in Michigan three years and from whence he came to Wisconsin in 1854. His education was acquired in this state, completing it at Lawrence University.

Having entered upon the study of law with McMullen & Lynch at Chilton, he attended the lectures of the State University Law School two winters; was admitted to the bar at Chilton at the spring term of the circuit court in 1877, and has been in practice alone at the same place till now.

Mr. Nugent went into the army in January, 1864, served as a private one and a half years, and lost his right arm at the battle of Bentonville, North Carolina, in March, 1865.

OSCAR F. SILVER, Berlin, was born in Caledonia county, Vermont, March 29, 1834, but grew up in Montpelier. His father was Isaac Silver and his mother Synthia Austin Silver. Mr. Silver's education was completed at the State University of Vermont, studied law with Lucius B. Peck at Montpelier, was admitted to the bar of the county court May 4, 1847, and to the supreme court of Vermont April 9, 1850. In November, 1850, he came to Berlin, where he has continued in the practice of law to the present time, excepting when he was in the volunteer military service in the war of the rebellion, serving as first lieutenant of company A, Sixteenth Wisconsin regiment. Becoming unfit for active duty while in the field, Lieutenant Silver was compelled to resign his commission and return home, when

he resumed the practice of his profession as soon as recovery enabled him to do so. For twenty-five years he has filled the office of justice of the peace, and has been alderman and mayor of the city of Berlin, district attorney and court commissioner. In 1855 Mr. Silver married Miss Julia Kimball, a native of Maine, and they have four children.

JOHN CALVIN TRUESDELL, Berlin, was born in Liberty township, Susquehanna county, Pennsylvania, January 11, 1825, and is the eldest son of S. W. and L. U. Truesdell. His education was completed by a two years' course at Hartford University, Pennsylvania, after which he entered the law office of Little & Streeter, at Montrose, Pennsylvania, and graduated as a law student at the age of twenty-three years. In 1848 he was admitted to the bar at Montrose, and the same year came West and opened an office at Fond du Lac in connection with O. B. Tyler, and both were admitted to practice in this state in 1850. Mr. Truesdell subsequently became a partner of J. M. Gillett. In 1858 he moved to Berlin, and soon after formed a partnership with Eleazer Root, and later with G. D. Waring, under the name of Truesdell & Waring. In 1845 he had an office in St. Louis; and for two or three years pursued his law business at Princeton, Wisconsin, since which time he has been in practice in Berlin.

Mr. Truesdell was a candidate for attorney-general of the state in 1851, but had the disadvantage of being on the minority ticket, as was the case as candidate for the senate in 1861, and for the assembly at a later date, nevertheless running well on the ticket. While living at Fond du Lac in 1849 he was superintendent of schools for that city. He was a whig during the existence of that party, and of a later day has been a democrat. Mr. Truesdell is one of the oldest, well-known and respected lawyers of Wisconsin.

ALBERT E. THOMPSON, Oshkosh, was born in the town of Pleasant Valley, now Princeton, Wisconsin, October 28, 1850, his parents being John C. and Catherine M. Thompson. Having completed his education at Ripon College he entered the office of J. M. Fish, at Princeton, as a student at law in April, 1869. On the completion of his law studies he was admitted to the bar at Dartford in June, 1870, and immediately entered into the practice of law with Mr. Fish, at Princeton, which connection continued until April, 1879, when Mr. Thompson moved to

Oshkosh, where he formed a partnership with H. B. Jackson, which continues to the present time — 1882. While residing at Princeton, he was president of that village in 1875, and from that time until leaving the place he was a member of the county board of supervisors, of which he was chairman during the last two years of his serving on the board.

FOURTH CIRCUIT.

A. M. BLAIR, Fond du Lac, is of Scotch descent, and was born in the town of Stannard, Caledonia county, Vermont, in April 1818. His father, who was a farmer, gave him an academic education, and in the fall of 1840 sent him to the Vermont University, where he remained but one year. He read law at Lyndon, Vermont, with Thomas Bartlett, and was admitted to the bar in December, 1843. Upon his admission he opened an office at Hardwick, Vermont, and continued to practice at that place until November, 1848, when he removed to the West. After spending a few months at Valparaiso, Indiana, in June, 1849, he located at Port Washington, Wisconsin. In the fall of 1852 he was elected to the state senate of Wisconsin, and in 1854 was an unsuccessful candidate for circuit judge against Charles H. Larrabee, who was subsequently a member of congress; in the spring of 1863 he removed to Fond du Lac, where he now resides. Since his admission to the bar Mr. Blair has devoted himself with rare singleness of purpose to his profession, in which he has acquired an enviable reputation, and has not been denied a fair share of its more substantial rewards. He is still in the enjoyment of a large and responsible practice, to which he devotes the energies of a vigorous and mature mind, and the resources of his long experience and excellent judgment.

MASON BRAYMAN, Ripon, was born in Buffalo, New York, May 23, 1813, is the son of Daniel and Nancy English Brayman, and was educated in the common schools of Erie county, New York. He learned the trade of printer in the office of the Buffalo Journal. At twenty years of age he was editor of the Buffalo Bulletin, at the same time studying law with Sheldon Smith, and was admitted to the bar at Buffalo in 1836. The same year he married Miss Mary Williams, of Chatauqua county. He practiced law in partnership with Benoni Thompson, removed to Monroe, Michigan, in 1837, was editor of the Monroe Times while practicing law in connection with J. Q. Adams. Thence he went to Louisville, Ken-

tucky, where he was editor of the Louisville Advertiser till 1842, when he became a resident of Springfield, Illinois, practicing law in that city with Jesse B. Thomas. In 1844 and 1845 he revised the laws of Illinois, under appointment of the governor and legislature. In 1851 he wrote the charter of the Illinois Central Railroad Company, and was attorney of that corporation until the completion of the road in 1855. After practicing law a few months in Chicago with John Baker he took charge of the land department of a line of railroad through Missouri and Arkansas from Cairo to Texas, and afterward, as president of the two companies, commenced the work of construction, which was suddenly arrested by the coming on of the war of 1861. He then entered the volunteer service as major of the Twenty-ninth Illinois infantry in August, 1861, and was detailed for duty as assistant adjutant-general and chief of staff of Brigadier-General, afterward Major-General, McClelland, commanding part of the forces of General Grant. He participated in the battles of Belmont, Fort Henry, Fort Donelson, Pittsburgh Landing, Corinth, Jackson and Bolivar, escaping personal injury, but having a horse wounded at Belmont, and another at Pittsburgh Landing. Though entering the army without military experience, his courage and skill were such as to receive special notice in general orders and reports of battles, especially at Pittsburgh Landing, where, at a critical moment during the first and disastrous day of fighting, he held a faltering line to its work by carrying a regimental flag in their front, exposed to the fire of both armies. After this battle he was made colonel of his regiment, and on September 24 following was appointed by President Lincoln a brigadier-general. He commanded until June, 1863, at Bolivar, Tennessee, also until February, 1864, at Camp Dennison, Ohio, reorganizing some seventy Ohio regiments, then at Cairo during the raids of Forrest into western Kentucky, then was ordered to Memphis as president of a court of inquiry into the Sturgis disaster at Guntown. From July, 1864, to the spring of 1865 he commanded at Natchez, his district comprising lower Mississippi and Louisiana north of Red River. In March, 1865, he was ordered to New Orleans, and for three months served as president of a commission for examining claims against the government, and succeeded in exposing and defeating enormous frauds. His reports of one hundred cases were recorded in books, which have since enabled the court of claims at Washington to protect the treasury against many of the same fraudulent demands which often



come there reinforced by additional false testimony. On being mustered out of service at the close of the war, he was commissioned brevet major-general.

Several years were spent after the war in reviving his railroad enterprises in Missouri and Arkansas. In 1873 he removed his residence to Wisconsin. In 1876 he was appointed by President Grant governor of the territory of Idaho, his most conspicuous and useful service there consisting in efforts to protect the people against the raids of Indians, and the public treasury against organized plunderers. At the close of his term in 1880 he returned to Wisconsin, and at present resides in Ripon engaged in the practice of the law.

JAMES COLEMAN, Fond du Lac, was born in the county of Schoharie, state of New York, June 29, 1836. His father is the Reverend Seymour Coleman, of the Methodist denomination, formerly of the Troy conference of New York. The son James received an academic education, read law three years in Troy and Albany, and graduated at the Albany law school in the spring of 1856. He was admitted to the bar the same year, and in 1857 commenced the practice of law at Fond du Lac, where he has continued to reside. Mr. Coleman was elected district attorney for Fond du Lac county in 1860, and was reelected in 1862. He has twice represented the city in the legislature; was register in bankruptcy in 1869, which position he resigned, and was appointed postmaster the same year. Not seeking a reappointment, at the close of his term he removed his law business to Washington, District of Columbia, where he was a partner of Mathew H. Carpenter, until the death of the latter in 1881. He still continues the law business at Washington, his family continuing to reside at Fond du Lac. In every position in which Mr. Coleman has occupied he has acquitted the duties with fidelity and honor.

ELIHU COLEMAN, Fond du Lac, was born in Oneida, Brown county, Wisconsin, May 11, 1841, and came to Fond du Lac in 1847, and has since resided there. He pursued a full classical course at Lawrence University, and graduated with honors June 28, 1865. He entered the military service of the United States in October 1861, in the First Wisconsin cavalry, and was honorably discharged in 1863, having held various positions of responsibility in the commissary and quartermaster's

departments. He was admitted to the bar in 1866 at Fond du Lac, where he has since practiced law. He held the position of register in bankruptcy from July 1869, to January 1872, when he resigned the position to take his seat as a member of the legislature of 1872. He was a member of the joint committee on charitable and penal institutions, where he introduced and succeeded in carrying through some important reforms. As chairman of the committee on federal relations, he was the political leader of the house in the discussions of that session that preceded the presidential campaign of 1872. In 1880 he was the republican candidate for congress in the fifth congressional district, which has always been noted for large democratic majorities. He spoke nearly every evening during the campaign, and not only succeeded in making a large reduction in the party majority, but also ran largely ahead of his ticket. Mr. Coleman is the senior member of the firm of Coleman, Carter & Kent, and is doing a large and successful business. In 1868 he was married to Miss Lizzie M. Hill, of Madison, and has four children.

GEORGE W. CARTER, Fond du Lac, was born in Erie county, Pennsylvania, April 20, 1839. His parents are Jacob and Elizabeth Carter, and he is the oldest of a large family. His parents removed to Wisconsin in 1844, and settled in the present town of Metomen, Fond du Lac county, in June 1845, where they still reside on a good farm, and in comfortable circumstances. George W. worked at home and helped develop the farm, attending such schools as the country afforded during the winter seasons, until he commenced to teach, closing a term of four months in the town of Ripon, before he was eighteen years of age, and teaching several winters succeeding that time. He commenced an irregular course in the State University in the fall of 1859, and continued until the beginning of the war of the rebellion. He enlisted April 19, 1861, the day before he was twenty-two years of age, and was elected second lieutenant of Company B, Fourth regiment, and commissioned by Governor Randall in May 1861, and was elected Captain over the first lieutenant by almost a unanimous vote of the company December 4, 1861, and commissioned accordingly. He served with his regiment without a leave of absence, missing no duty, battle or skirmish, to the second assault on Port Hudson, June 14, 1863. In that battle he was seriously wounded in the right leg and became a cripple for life. He served two years thereafter at Washington, District of Columbia, and at

Springfield, Illinois, on the staff of General Halbert E. Paine, General John Cook and others, and was discharged in July 1866, having previously been promoted to major V. R. C. About this time he declined an unsolicited appointment of second lieutenant in the regular army.

In the fall of 1866 he was elected clerk of the circuit court of Fond du Lac county, in which office he served four years, prosecuting the study of law meanwhile, and in January, 1870, was admitted to practice in the circuit courts, and later in the supreme court of the state. He commenced the profession of law, and was in practice at Fond du Lac until he was appointed warden of the state prison in December 1879.

He served one term on Governor Ludington's military staff, from which his friends have styled him colonel, though he prefers his army title of major. In 1876 he was nominated to lead the forlorn hope for congress in the fifth district, against General Bragg, and made a thorough canvass, speaking on the political issues of the day at several points in each county in the district. He received at the election 1500 more votes than had ever been polled in the district for a republican congressional candidate. In the practice of law, while not attaining eminence, he has given to the duties untiring energy and to his clients his best efforts and most conscientious regard for their interests. In the cases managed by him alone, he has had, as the records show, much more than average success, having in fact, seldom been unsuccessful in the circuit or supreme court. He loves the profession and practice of the law, and but for the temptation of a better income for the time being, which the needs of a growing family seemed to require, he would not even temporarily have suspended the practice to take an office. As warden of the state prison Major Carter has given unquestioned satisfaction to the state, the interests of the institution having been economically and profitably managed, and its entire management has moved along everyway harmoniously and smoothly.

JEREMIAH DOBBS, Ripon, was born at Saugerties, Ulster county, New York, in March 1832, and is the son of Jeremiah and Mary Dobbs. He acquired his education at Williamson, New York, after which he was clerk in a general store at Rochester, New York, two years. Later he commenced the study of law at Newark; came to Wisconsin and settled at Lake Mills in 1849; was admitted to the bar at Jefferson in 1851, and engaged in practice at Lake Mills. In 1854 he removed to



Ripon, and established himself in the legal practice, which, though small at first, has kept pace with the growth of the thrifty place, until he has become extensively known as a prominent attorney of that section of the state. Aside from his law business Mr. Dobbs has filled offices of honor and trust. In 1850 he was chosen district attorney of Jefferson county; was elected a member of the legislature in 1869, and several years was chairman of the county board; has been chairman of his ward, and was a director in the Oshkosh and Mississippi Railroad Company. In politics Mr. Dobbs has always acted with the democratic party. He is preëminently a self-made man. Beginning life without means, he has, by untiring effort and marked social qualities, and strict integrity, made his way step by step to a high place in his profession and society, and accumulated a handsome fortune. On February 21, 1854, he married Miss Mary A. Lampson, and they have one son and two daughters.

RUFUS P. EATON, Manitowoc, was born in New Hampshire, February 6, 1809. He came to Wisconsin in 1838, settling first at Green Bay; and remaining there two years, he went to Stockbridge and resided in that place a like period of time. In 1843 he removed to Calumet, and here it was that he first began the study of law, which he did without an instructor in his own house, until he was admitted to the bar on due examination in 1846, at Fond du Lac, and to the supreme court in 1847. In early life Mr. Eaton was engaged in the mercantile business, and during ten years, while at Calumet, he was the proprietor of a public house, thus becoming extensively known throughout the state. He commenced the practice of law at Fond du Lac, and continued it there about ten years. In 1856 he moved to Appleton, opened an office and practiced during five years. In 1861 he returned to his farm at Calumet, and for the time gave up the practice of law. But in 1864, growing tired of farm life, he reëntered law practice at Fond du Lac, continuing there for about ten years. In 1869 he settled at his present home, Manitowoc, and on account of his advanced age has retired from the active business of life.

M. D. L. FULLER, Plymouth, was born in New York, August 18, 1850; graduated at Milton College, Wisconsin, in 1871; was engaged as a teacher for several years in the public schools of Wisconsin; was elected



county superintendent of schools for Sheboygan county in 1873; was admitted to the bar in 1875, and since then has resided at Plymouth in the practice of his profession. In the fall of 1880 he was elected a member of the assembly, and at the session of 1881 was a member of the committee on the judiciary, and also that on medical societies.

H. W. FROST, Waupun, was educated in the town of Windsor, Broome county, New York, where he was born March 27, 1842. It was in his native town that in 1872 he was admitted to the bar, having studied law at Binghamton with William Merritt. He commenced practice at Greene in 1868, and has continued it to date. Coming to Wisconsin in September, 1874, he settled the following month at Waupun, his present home, and entered into a law partnership with J. W. Seely. He was appointed city attorney, in the fall of 1878, to fill a vacancy, and was elected to the same office the following spring.

SHERMAN J. MORSE, Waupun, was born at Chester, Wisconsin, September 6, 1850; was educated at Waupun, studied law with Eli Hooker at the same place; was admitted to the bar June 19, 1877, and has practiced his profession at Waupun three years. In April, 1880, Mr. Morse was elected city attorney for Waupun, and is now serving in that office.

L. J. NASH, Manitowoc, was born in Orleans county, New York, January 18, 1845, and came to Wisconsin, when in his seventh year, with his father's family, who settled on Rock Prairie in Rock county. His education was completed at Lawrence University, from which he graduated in the spring of 1870. Upon completing his collegiate course he devoted two years to teaching in the high school of Manitowoc, of which he was principal. In July, 1872, he began studying law in the office of E. B. Treat in the same city. In December, 1872, he was admitted to the bar, commenced practice with E. B. Treat in January, 1874, in Manitowoc, has since been in partnership with O. F. A. Greene, and later with A. J. Schmidt, but is now a member of the firm of Nash & Nash, practicing still at Manitowoc.

C. K. PIER, Fond du Lac, who is the son of Edward Pier, the first white man to settle at the location of Fond du Lac in 1841, and Colwert K., was one of the first white twins born in that place

their advent having been on June 7, 1841. His early education was obtained in the public schools which he attended winters, and working on his father's farm the other portions of the year until he was sixteen years of age, when he was sent to Lombard University at Galesburg, Illinois. Having finished his college course, his tastes led him to adopt the practice of the law for a profession. With this end in view, he entered upon its study with Judge Robert Flint, at Fond du Lac. While thus assiduously employed the war of the late rebellion broke out, and this young man of twenty years was the first man to enroll his name in that city, enlisting as a private in Company I, First regiment Wisconsin Volunteer infantry, of three months men. His regiment went to the front, and on the expiration of his term of service, Mr. Pier returned and entered the Albany law school. Upon the completion of his course of instruction at this institution he came back to Fond du Lac, and continued his studies in the law office of J. M. Gillet and W. D. Conklin, two leading lawyers of that city. The war spirit, however, soon moved him, and he again entered the army. Organizing a company, he was elected its captain, and subsequently he organized nine other companies into a regiment, and was chosen its colonel by election of the commissioned officers. He was then about twenty-one years of age. The regiment was tendered to the government, but was not accepted, as no more troops were supposed to be needed at that juncture. Some length of time afterward more troops were called for, and Colonel Pier accepted the commission of lieutenant-colonel, tendered to him by the Governor of Wisconsin, and very soon his regiment was reorganized and joined the forces of General Grant, in the Wilderness and Richmond campaign, through which he fought, and was promoted to colonel. He was often detailed on court martial duty, both in the field and in Washington at the closing scenes of the war. Mustered out in August, 1865, Colonel Pier returned home with a high army record, and having been admitted to the bar, he commenced practice as member of the firm of Gillet, Conklin & Pier, afterward Gillet & Pier, then Gillet, Pier & Bass, and finally alone until 1874. He then relinquished general practice to become manager of the savings bank at Fond du Lac, the business of which he has made very successful, taking it safely through the panic of 1873, and has been instrumental in promoting and sustaining various important manufacturing interests in that city. An ardent republican, Colonel Pier has never sought political position, and is not a partisan worker.

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While the Soldiers' Orphans' Home was in existence he was one of its board of trustees, and secretary and vice-president during a portion of the time. He was president of the Wisconsin Soldiers' Reunion Association, and chiefly instrumental in bringing about the notable soldiers' reunion at Milwaukee, in June 1880. For some years he held a controlling interest in the Fond du Lac Commonwealth newspaper, without, however, devoting his time to its work. Colonel Pier is a ready and accomplished writer, and has been a contributor to the periodicals of the day. He is widely known as a first-class business man, and an upright and highly respected citizen of the state.

EDMOND L. RUNALS, Ripon, was born December 28, 1826, near the village of Arcade, Wyoming county, New York. His father was originally from Concord, New Hampshire, and his mother from Cavendish, Vermont. The former was a pioneer farmer before his marriage, and became wealthy, and the latter had been a school teacher. Edward L. was educated at three academies in western New York, and spent some time in the study of the law with Judge Williams Mitchell, his uncle, of Genesee county, New York, and in the office of A. B. Hamilton, at Arcade. Before he was seventeen years of age, he came to Racine, in the summer of 1843, and spent the season with an uncle living there. In 1846, and before he was twenty years of age, he came to Ripon. Upon first coming west he had no intention of practicing law, but was gradually drawn into practice in justices' courts at an early day, and finally was persuaded to apply and was admitted to the bar of Fond du Lac county. Immediately after his admission, Mr. Runals commenced practice in the circuit court. At this time he began the publication of a newspaper at Ripon, of which he was also the editor, and continued it until 1857, when he sold out and retired from the business. In 1846 he was elected to the assembly by a larger majority than any member of that body; was again elected in 1847, and was chairman of very important committees. In 1864 he was elected judge of the municipal court of Ripon, and served in that capacity four years. He aided in the survey of the line of the Milwaukee & Horicon railroad, until he accepted the position of stock agent for the company, and continued an active canvass for the subscription to the stock until the road was assured.

During the year 1878 he spent several months traveling through

Europe. For many years he has been a successful dealer in real estate, at the same time engaging, to some extent, in amateur agriculture. He has a farm extending for a mile along the southern shore of Green Lake, and is improving and beautifying one hundred and seventy-five acres of its wooded portion, after the manner of the English parks, believing in its profitableness, both in pleasure and investment.

GEORGE E. SUTHERLAND, Fond du Lac, was born in Burlington, Otsego county, New York, September 14, 1843, and was the youngest in the family. His father, Samuel Sutherland, a farmer, honest and upright, but of limited means, was the grandson of William Sutherland, who came from Scotland to America on account of political persecutions. This ancestor was distinguished both for strength and probity of character, and he has given to this country of freedom a long line of descendants possessing, in marked degree, the parental traits. Although Mr. Sutherland's father gave him but little material aid, and that only in his years of childhood, he imparted to him a valuable inheritance in integrity, sincerity of mind and a love of books. To this his mother added energy, steadfastness of purpose, and thoughtfulness, possessing which one rarely neglects his duty to others or his own highest interest. The mother, a wise and devout woman, died when George was but six, which left him for several years practically homeless. Living around with various relatives, he had little chance for schooling, but being fond of reading he picked up a great deal of valuable information of a miscellaneous kind, and could hardly be called an ignorant boy, though he knew not a rule of arithmetic. Speeches were his favorite reading, and even congressional reports. His father, a strong anti-slavery and free-soil man, early inspired in George his own sentiments, and he read with avidity the speeches and writings of the apostles of human freedom. It was during these years that he formed the purpose of obtaining a college education, and becoming a lawyer; and it speaks everything for his steadfastness and persistence that the purpose once formed was never relinquished.

When he was eleven, a brother who was a teacher in Norwich, Connecticut, married and took George with him, and the discipline of school began in earnest. His brother took great pains with him, keeping him at his books early and late, and in two years George went from the foot to the head of the school. At the end of that time the brother



moved to Wisconsin, and found a home at Waukau, Winnebago county, where George attended school, and worked on a farm till he was sixteen, when he launched off for himself. Going back to New York state, he taught district school near his old home winters, and attended West Winfield Academy summers, for two years. This brought the memorable year of 1861, in the fall of which year Mr. Sutherland enlisted. He remained in the army until the close of the war, with the exception of three months' furlough, when he took a course of instruction in a military school, established during the war, in Philadelphia. He was promoted from private to captain; was once surrounded and taken prisoner. During the last year he served as member of court martial and military commission, which is his first appearance in a court of law. As a judge he inclined to temper the severities of military law with mercy. He was the youngest member of the commission in age but not in rank. At the close of the war Mr. Sutherland entered the preparatory department of Ripon College. After three years in Ripon and two in Amherst College, Massachusetts, he graduated in 1870 standing high in his class among the honor men. The summer following he studied law in the office of Judge Willard, of Utica, New York, and in the fall of that year entered Columbia Law School in New York city. With his previous reading and by hard study he completed the two years' course in one year, reciting six hours a day. He sustained himself here creditably, and was highly commended by Professor Dwight, then at the head of the school, for his attainments and mental qualifications for a lawyer. In September, 1871, Mr. Sutherland was admitted to the bar, and formed a law partnership with Mr. A. B. Hamilton, of Ripon. This partnership proved of great advantage to him as a training school. Mr. Hamilton was an intelligent man and an able lawyer with a good practice. Soon after the partnership was formed, however, his health failed to such an extent that the active duties of the firm fell largely upon Mr. Sutherland, under Mr. Hamilton's guidance and direction. By this he gained the ability to transact legal business correctly and with facility sooner than beginners are usually able to do. Very soon after commencing the practice of law, Mr. Sutherland tried his first case. Judge L. S. Dixon, then chief justice, in his written and published opinion of a case, pays the young lawyer this high compliment: "In conclusion we may remark that it would be doing injustice to our own feelings not to acknowledge our obligation

for the assistance rendered by the very clear and able argument made at the bar by the counsel for the plaintiff."

For two years of the time that Mr. Sutherland resided in Ripon, he was city attorney. In this capacity he prosecuted many liquor dealers under the provisions of the law, known as the Graham Law. On one such trial the question arose whether beer rightly came under the statute prohibiting the sale of intoxicating liquors without a license. The New York rule, that if the human stomach can contain enough of any liquor to intoxicate a man it is an intoxicating liquor, was under consideration, when the counsel for the defendant enunciated the following lucid proposition: "There is no man who contains a stomach conficent to sustain an intoxicated beer." This, with the effect upon the open-mouthed jury, is one of the most interesting reminiscences of his early practice. During the last year of his stay in Ripon Mr. Sutherland was a member of the county board of supervisors; an industrious and efficient officer. Mr. Sutherland remained in Ripon three years, when he accepted an invitation to a partnership extended him by Judge David Taylor, of Fond du Lac. This at once introduced him into the best class of business done in the northern part of the state, and also it could not have failed to be of great advantage to him to be associated with a man who has no superior in the state as a judge of law. The partnership continued with mutual satisfaction until Judge Taylor's election to the supreme bench, since which time Mr. Sutherland has conducted business alone, retaining the clients of the firm, being employed on one side or the other of most of the important suits brought in his section of the state. In the fall of 1879 Mr. Sutherland was elected to the state senate, and took his seat in January 1880. He was called the most industrious man in that body. He introduced many bills, and framed many times as many for those less used than he to composition and legal phrase. He is best known, however, as the chairman of the committee to investigate the Wisconsin state hospital for the insane. During the summer of 1880 he, with Senators Smith and McGrew, thoroughly examined the affairs of the institution, and submitted a report of the same to the next legislature. To give some idea of the magnitude of the work: during the last two weeks of the investigation Mr. Sutherland personally examined over sixty witnesses. With the report and with the view of its economy and efficient administration, the committee submitted a recommendation for change of



government of all the charitable and penal institutions in the state. They advised that, instead of an unpaid board for each institution there should be a board of control consisting of three persons with just salaries who should have charge of all the state institutions. Mr. Sutherland formed this recommendation into a bill which did not at once meet with favor. The evening upon which the vote was taken Mr. Sutherland was on his feet for four hours, arguing, explaining and answering questions, at the end of which time the bill, slightly modified, passed in the senate by a vote of twenty-nine to one, and afterward in the assembly by sixty-six to fifteen. The results have justified the wisdom of the measure, and its workings have been of greater advantage to the state than its movers dared hope.

It remains to speak of Mr. Sutherland's methods and characteristics in practice. In preparing his cases he is industrious and careful, but is not a "case lawyer." He determines his position by what he considers ought to be the law applicable, and then looks up cases to confirm his opinion. In pleading it is his custom to present a logical framework for his case in the nature of propositions, one following the other and leading up to the next. He makes his points clear and distinct, and, especially when addressing a jury, studies simplicity of statement. His manner is characterized by earnestness and force, and he addresses himself to the main point, avoiding immaterial questions. He is also fertile in illustration by which to elucidate his position. He holds the attention of a jury closely by his aptness, stories, witticisms and occasional sarcasm, but has a stronger liking for the clear logic of the law and the discussion of legal principles than for the rough and tumble of nisi prius trials; and he has the rare gift of stopping when he is through.

ADOLPH J. SCHMITZ, Manitowoc, was born in Manitowoc county June 8, 1852, and his parents were Frederick and Johanna Schmitz. He is a graduate of the State University, acquired his legal education in the law department of that institution; was admitted to the bar at Madison by the judges of the supreme court in June, 1875; has been in practice since that time in Manitowoc, and for a time in partnership with L. J. Nash, but is now alone. He was elected district attorney for the county of Manitowoc in the fall of 1876, and reëlected in 1878.

HARVEY GRISWOLD TURNER, Manitowoc. Joseph and Mary Griswold Turner were the parents of H. G. Turner and at the time of his birth they were living at East Oswego, New York, the town in which young Harvey passed his boyhood, and in which he received all the educational advantages that he ever enjoyed. He was born June 7, 1822, and as soon as it was feasible was sent to the Oswego Academy. His stay at that institution of learning was for a brief time, as he immigrated at an early age from his native town and became, in the spring of 1840, an inhabitant of the then territory of Wisconsin. He entered the law office of Finch & Lynde in Milwaukee when the firm first organized, and applied himself to the study of the law. In the year, 1844 he was admitted to the bar, and has since had an extensive practice, and among others in the counties of Milwaukee, Washington, Ozaukee and Manitowoc, as also in the supreme court of the state. Mr. Turner was a member of the second constitutional convention, has also been state senator, county judge, district attorney, and has filled various local offices.

FIFTH CIRCUIT.

MELANCTHON J. BRIGGS, Dodgeville, was born at Kalamazoo, Michigan, March 31, 1846. When but fifteen years of age he enlisted in the Seventeenth Wisconsin volunteers (Irish brigade). He participated in all the battles in which that regiment was engaged and for two years served as color sergeant of the regiment. For distinguished gallantry at Corinth and Vicksburgh he was complimented in general orders, and at the early age of eighteen given a commission of lieutenant, which rank he held at the time he was mustered out in January, 1866, after a service of four years and two months. He read law in the office of Eastland & Eastland, Richmond Center, and was admitted to practice in October, 1868. Mr. Briggs located at Dodgeville in June, 1869, and speedily took a place in the front rank among the lawyers of the fifth circuit. As a successful criminal lawyer he stands preëminent in his county, and as a jury lawyer he has few equals in the entire circuit. In the fall of 1880 Mr. Briggs was elected to the assembly, and at the session that followed he took a prominent part in the deliberations of that body, and distinguished himself in debate. He was a member of the judiciary committee, and also of the committee on militia, during the session. He was also a member of the select special committee on railway taxation.

WILLIAM E. CARTER, Platteville, is a native of England, having been born near Brighton, Sussex county, November 17, 1833, and was self educated. Coming to this country he became a resident of Lancaster in 1850, and studied law with J. Allen Barber during the years of 1855 and 1856, when he was admitted to the bar at that place. Commencing practice at Lancaster, he subsequently continued it at Platteville, to which he removed in 1861, and where he still resides. His partners in the profession have been Stephen O. Paine, George B. Carter and T. L. Cleary. Mr. Carter is not only prominent as a lawyer, but has held offices of importance. As a regent of the State University he is serving in his second term; has been United States court commissioner since 1870, and was member of the assembly for the sessions of 1877, 1878 and 1879, in which he served on the judiciary and other important committees, and was a leading republican member of the house. When the republican national convention convened in Chicago in June, 1880, Mr. Carter served as a delegate and took an early part in bringing forward the name of James A. Garfield for President. At the state republican convention of 1877 he was nominated for attorney-general, which he declined.

RICHARD CARTER, Dodgeville, was born at Sussex, England, May 31, 1836, a son of William and Ann Carter. His education not having been completed when he came to Wisconsin, he attended the academy at Platteville, graduating from that institution in 1859. From 1856 to 1860 at intervals he read law at Lancaster with Judge J. T. Mills and Colonel John G. Clark, and with Paine & Carter, Platteville, from 1865 to the time of his admission, which took place March 8, 1866, at Lancaster. In 1876 he became a member of the bar of the supreme court. He practiced law at Platteville with Colonel John E. Gurley from 1866 to 1869, and at Dodgeville with Samuel W. Reese since 1871. At the breaking out of the war Mr. Carter became interested in the Union cause and enlisted at Madison, April 16, 1861. He rose to the rank of first lieutenant of Company I of the Fifth Wisconsin infantry, and in May, 1864, was appointed captain and assistant quartermaster of volunteers; was on duty as assistant quartermaster in Chattanooga, Tennessee, until May or June, 1865, when he was assigned to the cavalry corps of the military division of the Mississippi head-quarters at Macon, Georgia, and acted as chief quartermaster of said corps on the staff of

Major-General James H. Wilson. He was discharged November 27, 1865, when he returned to the practice of his profession.

CHARLES SPENCER FULLER, Prairie du Chien, was born at Athens Pennsylvania, June 30, 1849. His father was a farmer. He was educated at the Wisconsin State University, and graduated at the law school of the same institution in June, 1875; came to Prairie du Chien and was admitted to Crawford county bar June 17, 1875, and to the supreme court and United States circuit court on the same day. In February, 1876, he entered into partnership with O. B. Thomas, Prairie du Chien, which connection continues to this date. Mr. Fuller enjoys the rare merit of obtaining a first-class literary and law education totally unaided. During the years he was pursuing his studies he spent his vacations either in teaching school, working on a farm, or any honorable employment that offered, and is now reaping the fruits of his industry.

H. H. GRAY, Darlington, was born at Madison, Madison county, New York, June 29, 1827, and is a son of John Gray. He left home at thirteen years of age and came to the lead-mining region of Wisconsin in 1843, where he speedily made some money and devoted himself and his means to acquiring an education, attending school in Belvedere, Illinois, and in Beloit, Wisconsin. In 1846 he received an appointment to West Point, which he declined, and commenced reading law with J. M. Keep at Beloit, but subsequently devoted himself to land operations, mercantile and other business at Beloit and Darlington. For ten years Mr. Gray took an active and leading part in procuring the location of the county seat of La Fayette county at Darlington, during which time he was editing newspapers devoted to the interests of the county seat question. Besides attending to his extensive personal business, which has of later years been dealing largely in western lands, he has found time to fill offices of importance; was county supervisor several years, district attorney one term, member of the assembly in 1856 and 1858, and of the senate in 1869 and 1870, and a regent of the State University two terms. In 1869 he was the democratic candidate for lieutenant-governor, and in 1872 was a delegate to the liberal national convention that nominated Horace Greeley for President. In 1849 Mr. Gray married a daughter of Reverend S. Peet, of Beloit, and has eight children living.

MARVIN HOLLISTER, Shullsburg, has been a member of the bar for over thirty years. He was born at Pawlet, Rutland county, Vermont, and is a son of Hartley and Lucy Hollister. He was a student at West Granville Academy, and Troy Conference Academy, Poultney, Vermont. He studied law with Isaac W. and Oscar F. Thompson, Granville, Washington county, New York, and was admitted to the bar at Albany, January 15, 1847. Coming to Wisconsin he commenced practice in La Fayette county and was district attorney from 1868 to 1870. He is prompt and energetic and said to be a good lawyer.

ALDRO JENKS, Dodgeville, was born at Watertown, Jefferson county, New York, January 18, 1855. In the spring of 1857 he removed, with his parents, to Wisconsin and settled near Darlington, in La Fayette county, where his parents have ever since resided. He received a common school education, and at the age of seventeen commenced teaching school, which occupation he continued for four successive winter terms, working upon his father's farm in the meantime and pursuing his studies privately, and with such result that at the expiration of the third year he applied for and obtained a first grade certificate. He commenced his legal studies with James R. Rose, at Darlington, in 1874, and in the spring of 1875 he entered the law office of M. M. Cothren, at Mineral Point, where he remained until his admission to the bar at Dodgeville, March 19, 1876. He then commenced the practice of law at Highland, where he remained until August, 1878, when he removed to Dodgeville and formed a partnership with M. J. Briggs under the firm of Briggs & Jenks. This partnership still continues and is one of the strongest and most popular firms in the county.

JOHN T. JONES, Dodgeville, is a native of Wales; was born in Anglesea, May 21, 1836. His parents, Thomas and Hannah Jones, emigrated to Wisconsin in 1852. They had given him a common school education before emigrating, and he insisted at the age of thirteen that his parents should let him enter a printing office to learn the trade, at which trade he was working when they emigrated. He left Wisconsin in the fall of 1852, worked at his trade in Chicago that winter, left for New York city in the spring of 1853, worked in book offices there over a year, then engaged in the office of the Utica Herald. After accumulating some money he went to Whitestown Seminary, four miles from

Utica. When his funds run out he used to walk after school Fridays to Utica, and after supper and all day Saturday worked at the case, thus earning enough money to keep himself at school the following week. In the fall of 1855 he received a certificate to teach school in Oneida county, but did not teach, preferring to come West, which he did, and entered Platteville Academy, which was then taught by Professor Pickard. He alternately attended the academy and taught school till the war broke out, the first school he taught being the Old Brick (as it was familiarly termed) in the town of Lima, Grant county, Wisconsin. He enlisted in August, 1861, as private in Company E, Thirtieth Wisconsin volunteers; was subsequently promoted to first sergeant, second lieutenant, and first lieutenant. Was discharged with the regiment in October, 1865. Was married to Miss Ann Oldham, daughter of William and Mary Oldham, May 21, 1864, while home on a furlough. Was clerk in office of secretary of state, and while there improved his spare time in studying law, and graduated from the law department of the University in the class of 1871, passing creditably the same examination as the regular university students. Entered on the practice of the law at Mineral Point in 1874 as partner of ex-attorney-general Alexander Wilson. Dissolved partnership and opened a law office himself in spring of 1876. Was elected judge of Iowa county in 1877, and removed to Dodgeville, the county seat. Was renominated by acclamation by the county republican convention in March, 1881, and reelected without opposition April 5, 1881.

JAMES W. MURPHY, Platteville, is a native of the town in which he is now practicing his profession, and was born in the year 1858. He was educated at the State Normal School at Platteville, and studied law in the same town, in the office of A. W. Bell, afterward attending the law department of the University of Michigan. He was admitted to the Wisconsin bar in 1879, and has as yet been associated with no law partner.

HENRY FREELAND McNELLY, Muscoda, was born at Orin, Richland county, Wisconsin, in 1854, and is the son of Dr. H. McNelly, who is one of the earliest settlers of the state. He commenced the study of law with Judge M. M. Cothren, at Mineral Point, in 1875; was admitted to the bar June 26, 1877, at a term of the Circuit Court at Darlington, and commenced practice at Muscoda, September 9, 1877, and has been in practice at that village till the present time.

SAMUEL MERRICK, Jamestown, was born in Jefferson county, New York, July 15, 1815. His father was a native of Massachusetts, and his mother of Rhode Island. He was educated in the public schools and at an academy situated in Lowville, New York. His main occupation, after the completion of his studies, was that of teacher in the common schools. At the breaking out of the Mexican war he enlisted as a soldier in the American army, and had a good deal of experience of military service. He commenced his study of law with John Palmer, of Watertown, New York, an eminent lawyer of that time. He removed to Wisconsin in the spring of 1850, and seven years afterward was admitted to practice at the bar of Grant county, which vocation he is now following.

PHILO A. ORTON, Darlington, was born in Hamilton, New York, March 24, 1837. His parents were Philo A. Orton and Nancy C. Orton. His father died at Darlington, Wisconsin, July 12, 1872. He was a man of very considerable culture and of unswerving integrity. His mother is still living. The family is an old Connecticut family, descending from Thomas Orton, an Englishman, who emigrated to this country, landing at Charleston, Massachusetts, in 1640. The family finally located in Connecticut, and were largely represented at Woodbury, in that state. Thomas Orton, the grandfather of Philo A. Orton, removed from Connecticut about the year 1800 to Hamilton, New York. The father of the subject of this sketch removed with his family from New York to Wisconsin in 1850, first locating at Beloit. In 1855 he removed to Darlington, Wisconsin, where he died, and where Philo A. Orton has ever since resided. His education was principally at the common schools. He attended Beloit College for about one year, in 1851 and 1852, and Madison University, in his native town, one year, in 1856 and 1857, designing to make civil engineering his profession. The general suspension of all railroad enterprises in 1858 induced him to abandon his former purpose of becoming a civil engineer, and in 1858 he commenced the study of law in the office of James R. Rose, at Darlington. In 1859 he was admitted to the bar, and has been constantly in practice since that time at Darlington. His success in his profession has been very marked. For twenty years he has had a large and lucrative legal practice. For many years past he has had a law partner, Mr. C. F. Osborn. He was married January 27, 1862, to Miss Sarah M.

Osborn, daughter of Captain Sylvester W. Osborn, one of the oldest and most respected citizens of Darlington. His wife is a most estimable lady. They have two children: Susan, ten years, and Robert Eugene, eight years of age.

Mr. Orton was a democrat before the war, a war democrat during the war, and acted with that political organization until 1879, when he refused to support the democratic state ticket then in nomination. In 1880, early in the presidential campaign, he publicly declared his intention to support the republican ticket, and worked hard on the stump in and out of the state for the election of Garfield and Arthur. In 1861 he was democratic candidate for attorney general of Wisconsin. In 1870 he was the democratic candidate for circuit judge, and though he ran far ahead of his ticket, was defeated. In 1876 he was democratic candidate for representative in congress, and was again defeated. In 1869 he was elected county judge of La Fayette county, and served in that office four years, declining a renomination. Since 1874 Mr. Orton has been connected with the La Fayette County Bank, at Darlington.

SAMUEL W. REESE, Dodgeville, is by birth a Welshman, and was born November 29, 1829, at Montgomeryshire, North Wales. He was the son of William and Susan Reese. When very young he became a resident of Shrewsbury, England, and lived there until he immigrated to Cincinnati, in the State of Ohio, in 1844. In the year 1852 he became a resident of Dodgeville, Wisconsin, where he has since resided. In the year 1858 he was admitted to the bar at Mineral Point, and has practiced the profession ever since. In 1868 he associated himself with George Mulks in the practice of the law, and were partners until the spring of 1871, when Mr. Mulks died. In the fall of 1871 he became the partner of Richard Carter, under the firm of Reese & Carter, and the firm have been in active practice of the law ever since at Dodgeville.

CHARLES G. RODOLF, Muscoda, is not a native of America, but was born in Switzerland, November 15, 1818. He immigrated to the United States while he was yet fifteen years of age, having received during that time of his life a good academic education, and passed through the regular course of the Swiss High School at Zurzach, Canton of Argovie; coming to the western hemisphere in November, 1833, and landing at

New Orleans, he went from there to St. Louis, spending in that city his first year in America. He became an inhabitant of Wisconsin in the year following, locating in August, 1834, in Iowa county. He first engaged in farming on a preëmption claim, teaming and breaking prairie, subsequently engaged in the mercantile business and lead mining at Centreville and Highland, Iowa county, previous to entering the legal profession. Mr. Rodolf acquired a moderate knowledge of the English language during his stay at St. Louis, and as soon as circumstances allowed began his study of law, and was admitted to the bar of Wisconsin in the year 1851. He began his practice in 1846 at Highland, but moved, in 1852, to Richland county, and then obtained a few years' experience as a lawyer. It was during his stay in this last mentioned county that he erected the saw and grist mills of which he is now the proprietor. He located at his present home, Muscoda, in 1871, and again commenced practice, to which he has ever since devoted his attention.

Mr. Rodolf has been chosen to fill numerous state offices in his adopted country. In 1851 he represented Iowa county in the general assembly; was also a representative in the same body during the year 1858, from Richland county. The counties of Iowa and Richland elected him state senator for the years 1859 and 1860; was chairman of the county board of Richland county in 1853, and was the democratic candidate for congress, in 1863, for the third congressional district; was a member of the board of supervisors of Grant county during five successive years; from 1864 to 1869 he was treasurer of the town of Eagle; and a delegate to the democratic national convention, at Chicago, in 1864, and again, in 1868, in New York.

JAMES R. ROSE, Darlington, was born in Delaware county, New York, September 18, 1817, and received his education in that state. Subsequently he studied law in Otsego county, and was admitted to the bar of the supreme court in Albany. He was clerk of the assembly in 1844, 1845 and 1850. In 1851 he came to Wisconsin and settled in La Fayette county, in the practice of the law; is the oldest lawyer in that county, and has been district attorney two terms. His son, D. S. Rose is his partner in the law business.

DAVID S. ROSE, Darlington, was born June 30, 1856, at the village of Avon, now town of Darlington, La Fayette county. The names of his parents were J. R. and Phebe A. Rose. He was admitted to practice June 30, 1876, at the June term of the circuit court for La Fayette county, for the year 1876, by Judge J. T. Mills. He studied his profession with M. M. Cothren and J. R. Rose, of the firm of Cothren & Rose. He practiced from January, 1878, to February, 1879, at Belmont, and from that time he has been associated with his father, J. R. Rose, at Darlington.

JOHN MONTGOMERY SMITH, Mineral Point, was born at Bedford Springs, Pennsylvania, February 26, 1834. He came to Wisconsin with his father, the late General William R. Smith, and settled at Mineral Point in January, 1838. Receiving a common school education, he commenced studying law at the age of sixteen, with his father. In 1852 he crossed the plains to California. Returned from the Pacific coast in 1855, he resumed his studies under the direction of his father, and subsequently studied with Joseph H. Clary and the late Judge Samuel Crawford, of the supreme court. Admitted to practice at Mineral Point in the fall of 1862, he formed a partnership with Judge Crawford, which was terminated by the judge's death, and is now in partnership with W. T. Henry, who is in the banking business. Mr. Smith has served two terms as district attorney of Iowa county, and was nominated by acclamation for a third term, but declined, as his law practice had increased so much he had not the time to attend to the duties of the office. He was also elected city superintendent of schools, was twice elected mayor of the city of Mineral Point, and was the democratic candidate for attorney-general in 1879.

ORMSBY B. THOMAS, Prairie du Chien, was born at Sandgate, Vermont, August 21, 1832. His education was in the public schools; read law by a course at the law school at Poughkeepsie, New York, where he graduated in 1856, and was admitted to the supreme court bar of New York in Albany in 1856. The following year he came to Wisconsin, and has since that time been in practice at Prairie du Chien. He was district attorney for Crawford county during several years; was member of the assembly in 1862, 1865 and 1867, and is now state senator on the second year of his term, having been elected in 1879. In 1872 Mr.



Thomas was a presidential elector on the republican ticket. During the war of the rebellion he served in the army three years as captain in the Thirty-first Wisconsin Regiment. His present law partner is C. S. Fuller. In 1877 Captain Thomas was nominated by the republicans for attorney general of the state, but declined to run, not caring to break in on his extensive law practice. During the session of the legislature of 1880 Senator Thomas served on the committees on the judiciary and on education, and at the session of 1881 was chairman of the committees on the judiciary and a member of that on military affairs. He took a prominent part in the proceedings of the body of which he was a member two years.

MYRON MANSEL WEBSTER, Prairie du Chien, was born in McGrawsville, New York, January 18, 1836, at which place he was educated. He came west at an early age, studied law with H. B. McGinnis at Galena, Illinois, and was admitted to the bar in the Allmaker district court, Iowa, in July, 1857, and subsequently to the Iowa supreme court, afterward practicing ten years at Allmaker. He came to Prairie du Chien and located in practice November 1, 1867, and was admitted, soon after, to the bar of Crawford county, and to practice in the supreme court and United States courts of Wisconsin. Since then he remained in Prairie du Chien in partnership with his brother, Daniel Webster, until his death in the fall of 1881.

DANIEL WEBSTER, Prairie du Chien, was born in McGrawsville, New York, September 4, 1844. Coming west while young, his education was obtained at Galena, Illinois, and Wawkon, Iowa. Choosing the practice of law for a profession, he studied in the law office of his brother, Myron Mansel, at Lansing, Iowa. Afterward, coming to Prairie du Chien to live, he was admitted to practice in Allmaker county, Iowa, and at Crawford county bar; practiced at Kasson, Minnesota, a short time, and in Allmaker county, Iowa, two or three years, and then returned to Prairie du Chien, when he entered into partnership with his brother, Myron Mansel Webster, but has been alone since the death of the latter in the fall of 1881.

JOHN DARLIN WILSON, Boscobel, was born June 19, 1851, at Johnston, Lamarkshire, Scotland. He was, on his father's side, related to the

Camerons, his grandmother being a Cameron. His grandfather was James Wilson, the brother of Professor John Wilson, known, in the magazines, as Christopher North. While still young John Darling Wilson came to the United States, and in 1864 to Concord, New Hampshire. In the academy at this place he finished his education, which had been begun in a grammar school at Glasgow. He came to Shullsburg, Wisconsin, in 1865, and for the first two years of his stay in the state taught school at Darlington. Mr. Wilson commenced the study of law with H. S. Magoon, at Darlington, and was admitted to the bar June 22, 1873, in La Fayette county. In order to give finish to his legal training, he went into the office of M. M. Cothren, Mineral Point, and in July, 1875, they formed a partnership, and established a branch office at Boscobel. When Judge Cothren was elected circuit judge in 1876 the partnership was dissolved, and Mr. Wilson has since been alone in his practice. Mr. Wilson was admitted to the supreme court of Wisconsin in February, 1876, and to the United States district and circuit courts in January 1876.

LUCIUS JASON WOOLLEY, Boscobel, was born in Westminster, Vermont, December 1, 1820. His father was from the original stock of that name, and lived in New Bedford, and his mother was a Colvinn, of New Hampshire. His early education was in the public schools, afterward in a normal school, and completed in the Black River Literary and Religious Institute, at Watertown, New York. At the latter place he studied law four years with W. H. Shumway, when he was admitted to the bar in advance of the usual seven years' course of law study. In the fall of 1855 he came to Wisconsin, prosecuted further the study of law with J. T. Mills, at Lancaster, and was admitted to the Grant county bar, at Lancaster, at the spring term of the circuit court of 1856. He then established himself in practice at Lancaster, and continued there until 1861, when he came to Boscobel, and entered into a law partnership with G. Hartshorn, but since the spring of 1863 has been alone in business. Mr. Woolley has been much in public office: has been chairman of the county board of supervisors three years, and, consequently, a member of the board three terms; is notary public; circuit court and United States court commissioner; is now justice of the peace, having held the office several different years, and has been engaged in prosecuting pension claims against the United States government since 1863.



J. S. WADDINGTON, Argyle, was born at Stockton, New York, November 12, 1831. As early as 1839 he came to the Western states. Up to the time of his removal he had attended the common schools in his native town, and while in the west he was sent as a student to the academy at Belvidere, Illinois. He first came to La Fayette county in 1842, but did not make a permanent location in Wisconsin until 1846, passing two years of the interim at his former home at Belvidere. He has been elected to several township offices, such as those of secretary and treasurer. He was elected county judge of La Fayette county in the spring of 1876, and still occupies the position, his term not expiring until 1882. Mr. Waddington has been a successful merchant of Argyle, and has earned the reputation of being an efficient and popular county judge.

SIXTH CIRCUIT.

ADELBERT E. BLEEKMAN, Sparta, was born at Salisbury, Herkimer county, New York, March 26, 1846. After receiving an academic education he studied law, came to Wisconsin in 1869, and settled in Tomah in the practice of his profession. In 1873 he was elected a member of the assembly. During the late war he entered the military service as private in Company A, Second Ohio Cavalry, and was in the battles of the Wilderness, Hanover Court-House, Ackland Station, and all of Wilson's engagements during his raids in 1864. While residing at Tomah he was elected without opposition to the state senate in November, 1873. Removing to Sparta in June, 1875, he was elected district attorney for the county of Monroe for 1876, 1877 and 1878. Mr. Bleekman's law firm at Sparta is Bleekman & Bloomingdale, and doing a thrifty business.

C. M. BUTT, Viroqua, was born in the town of Deerfield, Morgan county, Ohio, September 30, 1833, his parents being Edward and Hannah Roberts Butt. His education was obtained in the public schools and in the Wesleyan University, at Delaware, Ohio. Subsequently he entered upon the study of the law with Judge Evans & Wood, at McConnellsville, Ohio; was admitted to the bar at Viroqua, Wisconsin, in June, 1859, and commenced its practice at the same place immediately after. The fall thereafter he was elected district attorney for Vernon county, and on the expiration of his term, in 1861, he received a renomination, which he declined in order to accept the republican nomination

for the senate, but was defeated by only eighty-seven votes at the ensuing election by N. S. Cole, who ran on a Union ticket. During the war of the rebellion he entered the military service a first lieutenant in Company A, Twenty-fifth Regiment Wisconsin volunteers; was promoted to captain in March, 1864; to major of the Forty-eighth Wisconsin in March, 1865, and to lieutenant colonel in January, 1866. During the war he participated in two campaigns against the Indians in Minnesota and Kansas; also in the campaign at Vicksburg, Meridian, Chattanooga, Savannah, and Sherman's Carolina campaign, ending at Goldsboro, North Carolina. Served seven months as ordnance officer of Fourth Division, Seventeenth Army Corps, J. Mower commanding. Was elected senator on the republican ticket in 1868 by a majority of 2,573, and served in that body during the sessions of 1869 and 1870. Since that time he has been in the active practice of his profession at Viroqua. Was elected district attorney again in 1871 and 1873, serving four years; was elected county judge in 1877, and re-elected in 1881. He is one of our large farmers, his farm consisting of six hundred acres, on which he resides, and takes personal supervision. After leaving the army and returning home, Colonel Butt was elected county treasurer of Vernon county, and served from June 1, 1866, until January 1, 1870.

FRANK H. BLOOMINGDALE, Sparta, was born at Condersport, Pennsylvania, October 15, 1854, and in the spring of 1863 he came to Wisconsin with his parents. His education was commenced in the public schools at Sparta, and in the fall of 1872 he entered the State University, where he completed his sophomore year. In the fall of 1874 he entered the law school of Michigan State University, and was admitted to the bar at the December term of the Monroe county circuit court at Sparta, in 1877. In January, 1879, he commenced practice of the law at Sparta, in partnership with A. E. Bleekman, and the firm still continues Bleekman & Bloomingdale. Mr. Bloomingdale is a rising young lawyer.

W. S. BURROUGHS, La Crosse, was born in Portage county, Ohio, July 7, 1837; received an academic education in his native place, and removed to Illinois with his parents in 1855. Two years later he settled at La Crosse, and began the study of law with Denison & Lyndes.

He was admitted to the bar at La Crosse in 1859. In December, 1861, he began practice with Mr. Lyndes, and so continued till 1876, since which time he has been alone.

BENJAMIN FRENCH BRYANT, La Crosse, was born at Rockland, Maine, September 3, 1837. His early education was in the public schools, Maine Wesleyan Seminary, at Kent Hill, and Bowdoin College, in the class of 1863. He came west, and entered the army in 1862, enlisting at Norwalk, Ohio, in the One hundred and first Ohio regiment. He served in the army of the Cumberland till the close of the war, at first as sergeant, and subsequently commissioned first lieutenant, and still later as captain. He was mustered out of service in June, 1865, and settled at Norwalk, Ohio, where he was admitted to the bar and began practice. In May, 1868, he came to La Crosse, where he has since been actively engaged in the practice of his profession. He was appointed to the office of county judge in the spring of 1870, and held the office four years. In the fall of 1873 he was elected district attorney, which position he resigned in April, 1875, to become United States pension agent. In 1877 he was again elected district attorney, and reelected in 1879. He has been aid de camp upon the staff of Governor C. C. Washburn, and, also, upon that of Governor W. E. Smith. Captain Bryant is a finished orator.

CHARLES WILSON BUNN, La Crosse, was born in the town of Gale, Trempealeau county, on May 21, 1855. He lived at Galesville with his father's family until the spring of 1861, when he removed with them to Sparta. Here he attended the graded school until he was fifteen years of age, when he entered the freshman class at the University of Wisconsin, and graduated in 1874. Immediately on leaving college he entered the law office of Professor J. H. Carpenter, dean of the law faculty at Madison, and attended the law school one year, from which he graduated in the summer of 1875. In September of that year he entered the law office of Cameron & Losey, at La Crosse, as a clerk, where he remained in that capacity until the first of January, 1876, when he was taken in as a partner in that firm, and has remained there ever since. In August, 1877, he married Miss Mary Anderson, eldest daughter of Mons Anderson, at La Crosse.

SAMUEL S. BURTON, La Crosse. was born at Manchester, Vermont, April 10, 1822, and spent his early boyhood on his father's farm. He was educated at the Burr & Burton Seminary, at Manchester, and studied law with Miner & Burton of the same place, as well as at the Ballston Spa law school. He was admitted to the bar in 1850, and practiced at Manchester with E. B. Burton till 1857, when he came to La Crosse in April of the same year, and was a member of the firm of Tucker, Burton & Morse till 1859, when, a vacancy occurring in the office of county judge, Mr. Burton was appointed to the office by Governor Alexander Randall, and at the end of three years, the expiration of the term for which he was appointed, he was elected to the same office, which he held till January, 1866. His judicial duties, then embracing civil as well as probate matters, took him quite effectually out of the practice of his profession.

He was elected to the assembly for the session of 1864; was receiver of public moneys at the land office from 1867 to 1875, and was appointed receiver of the first bank of La Crosse upon its failure in April, 1876. In January, 1866, he formed a partnership with G. M. Woodward, and remained a member of the firm of Burton & Woodward till January, 1877, when upon the organization of the National Bank of La Crosse by the wealthy citizens of that place, he abandoned his profession, and has been its cashier and manager to the present time.

HUGH CAMERON, La Crosse. His parents were Duncan A. (who is of the Lochiel branch) and Sarah McColl Cameron, who came from Scotland early in this century, and their son Hugh was born in Caledonia, New York, June 29, 1815, and passed his youth on his father's farm. He was prepared for college in the institutions of Middleburg and Lima, and entering the University of Vermont in 1834, graduated at the same institution four years later. Returning to western New York, Mr. Cameron taught in the Avon Academy in 1838 and 1839, at the same time reading law with Amos Dann. He finished his law studies with Hastings & Husbands at Rochester, and was admitted to the bar of the supreme court in that city in 1841. After practicing a few years in Livingston county, he went to Buffalo in the spring of 1847, and there built up an excellent business in the firm of Wadsworth & Cameron, but seeing openings of greater promise farther west, he came to La Crosse in the spring of 1858, which has become his permanent home. During the



first six years in La Crosse, he was in partnership with his brother Alexander, who died in the army in 1864. In 1865 he was elected county judge, held the office four years and declined reelection.

On December 2, 1875, Judge Cameron wedded Miss Caroline D. Starr, of Burlington, Iowa. He is elder brother of United States Senator Angus Cameron. March 1, 1881, Judge Benton having resigned the office of county judge, Judge Cameron was appointed to fill the vacancy, by Governor W. E. Smith; was elected at the spring election without opposition, and is now serving in that capacity. It was an appointment particularly "fit to be made," and the position is filled by him with dignity, ability and unswerving integrity, giving universal satisfaction to both bar and people having business in his courts.

ALEXANDER CAMERON, La Crosse, a brother of Hugh and Angus Cameron, was born at Caledonia, Livingston county, New York, in 1832; came to La Crosse at an early day, studied law with A. Johnson, and was admitted to the bar in 1857. He went into company with his brother, Hugh Cameron, in 1858, and was elected district attorney in 1859. On the breaking out of the war in 1861 he entered the Union army as senior first lieutenant of the First Wisconsin Battery, and was in the fight at Cumberland Gap. While on duty in Kentucky he contracted consumption, of which he died in 1864. He was known as a brave and efficient officer, and as a member of the bar was noted for his native and persuasive eloquence, which scarcely ever failed of carrying court and jury with him.

JOHN J. COLE, La Crosse, was born at Albany, New York, August 29, 1824, and received his academic and legal education at the same place. At the age of twenty-one he was admitted to the supreme court and court of chancery, his license to practice in the former court bearing the signature of Chief-Justice Bronson, and in the latter that of Chancellor Walworth. In 1856 he removed to Wisconsin and settled at Viroqua, where he remained till 1839, when he came to La Crosse, where he has since remained in active practice. He has been actively engaged in his profession since he was twenty-one years of age. At Viroqua he was a partner of Judge Terhune, and at La Crosse he was for a time in partnership with W. H. Tucker. He is at present alone.

ALBERT WILLIAM CAMPBELL, Viroqua, was born in Oconomowoc, Wisconsin, October 10, 1856, and was educated at the district school and the high school of Tomah. He studied law in the office of Smith & Rogers at Madison, also went through a course in the law class of the Wisconsin State University, and was admitted to the bar in Madison on May 1, 1878. Subsequently, establishing himself in practice at Viroqua, he entered into partnership with Judge Carson Graham, and recently with Walter S. Field. Mr. Campbell is now court commissioner for Vernon county.

SAMUEL NORRIS DICKINSON, Sparta, was born at Willsborough, Pennsylvania, July 24, 1833, and was educated at East Hampton, Massachusetts. He read law with Johnson & Brown, at Warren, Pennsylvania; was admitted to the bar at the same place, and located at Sparta, Wisconsin, where he became associated in practice with T. B. Tyler and M. Montgomery, the firm becoming, on the retiring from it of Mr. Montgomery, Tyler & Dickinson, which still continues. Mr. Dickinson has devoted himself exclusively to the duties of his profession, not seeking office or political preferment, and taking part in public affairs only as a citizen should do. Consequently professional success has attended him.

JOHN A. DANIELS, La Crosse, was born in Delaware county, New York, and educated at the Delaware Literary Institute. He studied law at Kenosha, Wisconsin, with H. F. Schoff, and was admitted to the bar at Manitowoc in 1856, and afterward commenced practice in Kenosha county. Two years later he went to Trempealeau county. In 1864 he formed a partnership and entered upon the practice of law with W. H. Stodgill at La Crosse. In 1879 his son, H. S. Daniels, was admitted to the firm. He was district attorney of Trempealeau county in 1858 and 1859.

HOMAR S. DANIELS, La Crosse, was born at Ahnapee, August 25, 1856, and was educated at the State University of Wisconsin, graduating in the class of 1876. He studied law with Stodgill & Daniels, and was admitted to the bar in 1877 at La Crosse, where he began practice at once. A year later he was admitted to the partnership of Stodgill & Daniels. In 1880 he formed a partnership with Frank J. Toeller, under the firm of Daniels & Toeller.



J. J. FRUIT, La Crosse, was born in Grant county, March 29, 1849, and worked upon his father's farm until seventeen years of age. He had a common school education, then took a course at the Platteville Normal School, graduating in 1871. He was engaged in teaching, as principal of one of the public schools of La Crosse, for five successive years. He then chose the profession of law, and was graduated from the law department of the State University in 1877. He began practice at once, in partnership with H. Pfund, at La Crosse. After the removal of Mr. Pfund to Madison he continued practice alone, until June, 1880, when he took in as partner John Brindley, formerly of Boscobel. Grant county, Wisconsin.

HENRY C. FORSYTH, Viroqua, was born in the State of Ohio; was educated in the law at the law school of the Wisconsin State University, graduating in the class of 1879, having previously read law in the office of W. F. Turhune, at Viroqua; was admitted to the bar at Madison in 1879; has been in practice at Viroqua as member of the firm of Turhune and Forsyth, and also that of Forsyth & Hattlestad, and has been justice of the peace.

WALTER S. FIELD, Viroqua, was born in Hillsborough, Wisconsin, October 19, 1856; was educated at the Wisconsin State University, graduating in the class of 1878, and in the law class of the university of 1880; was admitted to the bar at Madison, April 15, 1880, and has been in practice at Viroqua since December 1, 1880, with A. W. Campbell.

CHARLES WALDO GRAVES, Viroqua, was born in East Aurora, Erie county, New York, November 29, 1854, and his father is Lewis W. Graves, who for forty-five years has been a member of the bar at Sparta, Wisconsin. He was educated in the public schools at Sparta, studied law three years with his father and one year with A. E. Bleekman, at Sparta, and was admitted to the bar at Sparta on January 4, 1876. Commencing practice at Sparta, he was in partnership one year, comprising that of 1876, with F. T. Condit—Graves & Condit; two years, 1877 and 1878, with A. E. Bleekman—Bleekman & Graves; three years, 1879, 1880, 1881, and continuing to the present year of 1882, with Colonel C. M. Butt, at Viroqua. In 1876 Mr. Graves, besides practicing his profession at the same time, was clerk of the town of Sparta.

CLARK L. HOOD, La Crosse, began life in Delaware county, New York, June 23, 1847. He was educated at the Delaware Literary Institute, in Franklin, New York, and studied law with Hotchkiss & Seymore, in Binghamton, where he was admitted to practice in 1868. In 1869 he came to La Crosse and engaged in practice, being for two years in partnership with M. P. Wing. He has held the position of city attorney three years. In August, 1863, he entered the army, and served till the close of the war, with an honorable record. Since returning to the arts of peace he has devoted himself to the practice of his profession, in which he has had distinguished success. He is a "stalwart" of the La Crosse bar.

HARVEY E. HUBBARD, La Crosse, was born in Onondaga county, New York, on the 17th day of March, 1830. He lived at home upon his father's farm until sixteen years of age, attending district school and also the Manlius Academy. In 1846 he came with his parents to Milwaukee, and spent two years as clerk in a store. He then began the study of law with Haven Powers, with whom he remained about a year and a half; then spent another term of about the same length of time in the office of Judge A. D. Smith and H. L. Palmer, when he was admitted to the bar of the circuit court for Milwaukee county, then presided over by Judge Levi Hubbell, in the spring of 1851, at the age of twenty-one. In July of the same year he moved to La Crosse, and commenced practice. In January, 1852, he was elected clerk of the senate, and during that winter was admitted to practice in the supreme court. Upon his return to La Crosse, in the spring of 1852, he was appointed clerk of the circuit court by Judge Knowlton to fill a vacancy, and at the end of his term was elected by the people. In 1853 he was appointed postmaster by President Pierce, and was reappointed by Buchanan in 1857, and held the office eight years. Mr. Hubbard was the first police justice under the city charter, holding the office at that time two years; afterward from 1864 to 1874, and from 1878 to the present time, 1881, he has filled the same position. He has discharged the duties of United States court commissioner, being first appointed by Judge Miller, and subsequently by Judge Hopkins, of the United States district court, and holds that position to the present time. Judge Hubbard has also held various local offices of importance, and at this writing is discharging the duties of police justice, which office he has

held for sixteen years, having been placed in that position by votes of the electors of the city of La Crosse.

CHARLES N. HARRIS, Viroqua, whose father was Mr. Joseph Harris, entered upon the study of the law with C. M. Butt at Viroqua, and attended the State University law school, graduating in the class of 1879, at which time he was admitted to the bar of the supreme court at Madison; has been in practice at Viroqua with H. L. Proctor, the firm being Proctor & Harris, subsequently alone, and has held the office of justice of the peace at Viroqua.

WILLIAM E. HOWE, La Crosse, was born in Monona, Clayton county, Iowa, January 17, 1851, his parents being H. E. and M. A. Howe. His education was completed in the University of Wisconsin, after which he studied law with J. H. Carpenter, Madison, and was admitted to the bar in that city in 1874. He practiced his profession in the city of St. Louis two years, and has been in successful practice in La Crosse six years. At the latter place he was, for a time, in partnership with M. Tourtelotte, which connection was dissolved in 1881. In La Crosse he has held the office of municipal judge. He left St. Louis for the benefit of his health, leaving a good practice there, but has been equally successful in La Crosse. On graduating from the State University in June, 1873, Judge Howe was awarded the first honors of the class in the scientific course. Promptly on the succeeding day he entered upon the study of the profession he had chosen, and was as diligent in its study as he has since been industrious, laborious and successful in its practice. When in practice in St. Louis he was in partnership with O. B. Givens, leaving there in June, 1876.

JOSEPH W. LOSEY, La Crosse, was born at Honesdale, Pennsylvania, December 30, 1834, his parents being Ebenezer T. and Lucy M. Losey. He was educated at Honesdale Academy and Amherst College; studied law with Denison & Lyndes at La Crosse; was admitted at Sparta in October, 1858; practiced in company with James G. Lyndes in La Crosse from 1858 to 1861, with Angus Cameron from 1861 to 1876, and then with Angus Cameron and Charles W. Bunn up to the present time, the firm being Cameron, Losey & Bunn.

CYRUS K. LORD, La Crosse, was born in Parsonfield, York county, Maine, January 10, 1811, and was educated at Limerick Academy in the same county. In 1837 he came west and settled first at Galena, Illinois. He afterward went to Platteville, Wisconsin, in 1838, where he began the study of law with B. C. Eastman. He was admitted to the bar in 1842 at Lancaster, and commenced practice at Potosi in the spring of that year. In 1853 he came to La Crosse, where he has since remained. In the interval from 1850 to 1853 he was county judge of Grant county, having common law as well as probate jurisdiction. From 1853 to 1856 he was register of the land office at La Crosse. In 1874 he was made police justice, which position he filled for about four years, and is now somewhat retired from the active duties of his profession, enjoying the pleasures of a competence, and the respect of the community.

JOSEPH M. MORROW, Sparta, was born at East Aurora, Erie county, New York, January 1, 1832. His parents were Henry and Mary Morrow. He was educated at the East Aurora Academy; studied law principally with L. W. Graves at Sparta; was admitted to the bar at Sparta in the fall of 1858, and has practiced at Sparta constantly since January 1, 1867, at first with L. W. Graves, under the firm of Graves & Morrow, for three years, then alone with the exception of about seven years with C. M. Masters, the firm being Morrow & Masters, which still continues.

Mr. Morrow was member of the assembly of this state in 1862, district attorney of Monroe county five terms, president of the village of Sparta two terms, and candidate for attorney-general on the democratic ticket in 1876.

G. C. PRENTISS, La Crosse, was born at Georgia, Franklin county, Vermont, January 11, 1824; was admitted to the bar at Burlington in September, 1847, and practiced in his native state till 1852, the last two years being associated in business with David A. Smalley, late district judge for the United States for the district of Vermont. In November, 1852, he removed to Wisconsin and formed a partnership with Judge L. S. Dixon, at Portage, with whom he practiced till 1857. In 1872 he removed to La Crosse, where he is still in practice in partnership with M. P. Wing.

CARL C. POPE, Black River Falls, was born at Washington, Orange county, Vermont, July 22, 1834, and his parents were Ralph and Mary R. Pope. He was educated at the Green Mountain Liberal Institute, South Woodstock, Vermont; studied law with J. P. Kidder, West Randolph, Vermont, now of Dakota; was admitted to the bar at Chelsea, Vermont, in January, 1856, and has always practiced his profession at Black River Falls and alone. Mr. Pope has filled the offices of district attorney, county judge, member of the assembly and of the state senate. He was member of assembly for the years 1862, 1863, 1877 and 1878, and a senator for the years 1864 and 1865. In 1863 he was chairman of the committee on federal relations of the assembly, which, owing to the war then pending was a very important position, and its duties were discharged in a faithful manner by Judge Pope. He was, in 1865, chairman of the judiciary committee of the senate; and though one of the youngest members of that body, ranked among the ablest and most industrious. In 1864 he was a member of the national republican convention, which nominated Lincoln and Johnson to the Presidency and Vice-presidency of the Union, and took an active part in the canvass which followed. When in the assembly at the session of 1877, Judge Pope was chairman of the judiciary committee, and the republican leader of the house. His friends had brought forward his name for the speakership, but the judge declined to run in opposition to J. B. Cassoday, who was accordingly placed in the chair. Judge Pope has long been conspicuous in the politics of the state.

As a lawyer, Judge Pope is a most thorough and indefatigable worker. He is very careful in the preparation of his pleadings, and plumes himself upon always being prepared for professional labors, when he has had time for preparation. He is a forcible and persuasive advocate, and even a ready speaker when called upon for extemporaneous effort. He has ever been a deep reader of the law, and not only the books of the law, but of history and the whole field of belles-lettres, believing that a wide and comprehensive range of reading is of great importance to the practicing lawyer. In his department he is ever courteous and respectful to the bench and kind and accommodating to the members of the bar. Personally he has ever enjoyed the respect of the profession, and the confidence of the courts of the state.

GEORGE M. PERRY, Black River Falls, was born in the town of Albion, Jackson county, Wisconsin, August 23, 1848, and is the son of James and Lydia Perry. His education was obtained at Howe Seminary, Epsworth, Iowa, at Denmark, Iowa, and Urbana, Illinois. He read law while engaged in teaching school, and afterward, under the instruction of a lawyer, he pursued the study while holding the office of clerk of the circuit court, and was admitted to the bar at Black River Falls on March 23, 1880, but has not been in actual practice, the duties of the several offices he has been holding occupying his entire time. These offices consist of clerk of circuit court of previous years, and he is now county judge, deputy register of deeds, and deputy county clerk. Judge Perry was appointed, by Governor W. E. Smith, county judge to fill a vacancy, and was subsequently elected to the office without opposition for the term of four years, commencing January 1882.

H. W. PROCTOR, Viroqua, was born in Fairfax county, Vermont, January 25, 1843, his father being Henry Proctor. His education was acquired in both Vermont and Wisconsin; studied law with R. C. Bierce & Carson Graham, at Viroqua; was admitted at Viroqua, December 13, 1871, and has been in practice at Viroqua with Carson Graham, W. H. Carter and C. N. Harris. From January 1, 1876, to January 1, 1882, Mr. Proctor was district attorney for Vernon county, and president of the village of Viroqua for 1881 and 1882. During the war of the late rebellion he served as private in Company D, Forty-third regiment of Wisconsin volunteers, from the organization of the regiment until the close of the war.

LYCURGUS J. RUSK, Viroqua, was born in Morgan county, Ohio, March 13, 1852. His father is Jeremiah M. Rusk, formerly member of the United States house of representatives, and at this time is Governor of Wisconsin. His mother was Mary E. Rusk. His literary education was completed at the Wisconsin State University, and his law studies at Dane law school of Harvard College; read law with Cameron & Losey, La Crosse; was admitted to the bar at La Crosse in 1874, and has since been in practice at Viroqua. His firm was at first Rusk & Vinge, and is now Rusk & Wyman. Colonel Rusk is the governor's private and military secretary and aid-de-camp with the rank of colonel, residing in Madison during the term of his official duties, in the performance of which he is courteous, able and popular.

H. M. SAFFORD, La Crosse, was born at Cambridge, Vermont, May 14, 1825, and was educated there, in his earlier days, afterward receiving a thorough academical education at Johnson Academy, Johnson, Vermont. He studied law with Judge Salmon Wires at Johnson, and with Judge H. P. Smith, at Hyde Park. In 1846 at the December term of the Lamoille county court he was admitted to practice. Three years later he was admitted to the supreme court at Montpelier, and subsequently to the United States courts of the state. He began practice at Washington county in 1846, where he continued three years, when he removed to Franklin county, where he continued practice from 1857 to 1870. During this time he was deputy collector of customs at Richford, a frontier port of entry, for five years, from 1852 to 1857. In November, 1870, he came to La Crosse, where he is still in active practice in the state and United States courts. In 1874 he was appointed district attorney for La Crosse county to fill a vacancy of one year and nine months, at the end of which time he was elected to the same position for the regular term of two years. Mr. Safford is also justice of the peace.

THOMAS B. TYLER, Sparta, was born at Cohecton, Sullivan county, New York, January 12, 1824. His parents removing their residence when he was quite young to Seneca, Ontario county, he was brought up on a farm, attended the public schools during the winter months until eighteen years of age, when he entered the Canandaigua Academy, and spent two terms there supported on his own resources. For several years thereafter he was employed in successful teaching. Having an inclination for professional life, he at first chose that of medicine, and, leaving school teaching, read with Doctor Francis Deane one year at Gorham, Ontario county. At the end of this time, the gold excitement breaking out, he went to California. Returning home after two years absence, he settled down at Coudersport, Pennsylvania, in 1852. The succeeding year he was elected prothonotary, and clerk of the courts. While holding these offices he commenced the study of law, which he pursued until 1857 when he was admitted to the bar. Removing to Sparta the same year he entered into practice with Milton Montgomery. At the commencement of the late war Mr. Montgomery entered the army as colonel of the Twenty-fifth Wisconsin regiment, at which time S. N. Dickinson was added to the firm, Colonel Montgomery retaining

his interest in the business during his continuance in the military service, and until 1873, when he removed to Lincoln, Nebraska, leaving the firm Tyler & Dickinson, which still continues.

Mr. Tyler was an ardent war democrat, and was active in measures supporting the armies in the field. As a citizen he has always taken an earnest interest in business enterprises of the place; has been vice president of the First National Bank of Sparta since its organization; has often served in the council of the village, and was its president four years. Although choosing to be a lawyer, and not an active politician, he went as a delegate to the democratic national convention that met in New York city in July, 1867, when Horatio Seymour was nominated candidate for president; and once he permitted his name to be used as a candidate for state senator, and ran ahead of his party ticket. Mr. Tyler takes much interest in masonic matters, and has held the highest offices in the order, in Sparta, and the state. Mrs. Tyler is the daughter of Doctor Duane, the old medical preceptor of Mr. Tyler, and they have one child, Mrs. Ira A. Hill, of Sparta.

MILLS TOURTELLOTTE, La Crosse, is a native of Holyoke, Massachusetts, and was born August 31, 1853. When about two years of age his parents moved to La Crosse county, Wisconsin, where they purchased a considerable tract of land just out of the present village of West Salem, La Crosse county, where they now reside. His father, M. L. Tourtellotte, was among the earliest settlers of La Crosse county, he having come here in 1855, and shortly thereafter assisted to lay out the village of West Salem. The subject of this sketch was educated at the University of Wisconsin, and he graduated in the law class of 1875. In June of the same year he was admitted to the bar at Madison, Wisconsin, and moved to the city of La Crosse, where he further prosecuted his studies in the offices of B. F. Bryant, and Lyndes & Burroughs until August 1, 1876, when the copartnership of Howe & Tourtellotte was formed. Mr. Tourtellotte continued to be a member of the firm of Howe & Tourtellotte until the month of May, 1881, when the copartnership was dissolved. After the dissolution of the firm of Howe & Tourtellotte he continued the practice of his profession in the offices formerly occupied by the firm. Mr. Tourtellotte was married in August, 1878, to Miss Lillie Woodbury, daughter of Captain W. W. Woodbury, of Somerville, Middlesex county, Massachusetts.

LOUIS TOLLEFRON, Viroqua, was born in Norway, June 28, 1851; was educated in Iowa and Wisconsin; attended the La Crosse Business College in 1872 and 1873; read law with H. P. Proctor at Viroqua; was admitted to the bar at Viroqua, October 26, 1881, and is in practice with H. P. Proctor at Viroqua.

FRANK J. TOELLER, La Crosse, was born at Cologne, Prussia, October 20, 1856, and came to this country in 1859, with his parents, settling in Minnesota. At the time of the Indian raid in 1861, he left with his parents and came to La Crosse, where he was educated, and, after studying law with T. J. Widvey, was admitted to practice November 11, 1878. He began practice in La Crosse the same year, and in 1879 formed a partnership with C. J. Stevens. He was elected justice of the peace November 5, 1878, to fill a vacancy, and was reelected in 1880. He dissolved partnership with C. J. Stevens in 1880, and formed a copartnership with H. S. Daniels the same year.

WILLIAM F. TERHUNE, Viroqua, was a native of Northumberland, New York, born July 10, 1821. His grandfather was a soldier in the war of the revolution, and his father an officer in that of 1812. Until seventeen years of age he was employed upon his father's farm in summer, and attended the district school in the winter. He then commenced teaching, which he pursued while dividing his time in attendance at the Troy conference and Castleton academies, Vermont, and Schuylerville and Amsterdam academies, New York. During his academic course he was selected to deliver three valedictory addresses. In 1843 he entered Union College, but want of means prevented his graduating. He then resumed teaching, which he pursued until 1846, when he commenced the study of the law in the office of P. H. Sylvester, Coxsackie, New York, and was enabled to complete his course, by means derived from filling the office of county superintendent of schools for Green county, to which he was chosen in 1846. He was admitted to the bar of the supreme court at Albany in 1848, and commenced practice at Athens. He superintended taking the census of 1850 for the southern district of New York. On August 5, 1851, Judge Terhune landed in Wisconsin, and became a pioneer at Viroqua, where he has since resided, in the practice of his profession. He has been county judge, member of the assembly, court commissioner, chairman of the board of supervisors, and filled various other offices in the county.

MERRICK P. WING, La Crosse, was born at Hinsdale in Berkshire county, Massachusetts, September 10, 1833, and came to Michigan with his parents, at the age of about four years. Part of his education was obtained at common school in Michigan. In 1853 he returned to his native state and completed his education at Hinsdale Academy. In 1855 he came to Portage, Wisconsin, where he afterward began the study of law. He was a member of the law school of Michigan University in the years 1861 and 1862. He was admitted to practice by Judge H. S. Orton at Portage, upon the conclusion of his law studies in 1862, and came to La Crosse in 1863, where he has since remained. Since 1872 Mr. Wing has been in partnership with Judge G. C. Prentiss. In 1876 he was elected state senator, served the term acceptably to his constituents, and was again elected in 1880. At the session of 1881 Senator Wing served on the committees on the judiciary and public lands.

G. M. WOODWARD, La Crosse, was born in Washington, District of Columbia, December 25, 1835. In the capacity of printer and proof-reader he was in the office of The National Intelligencer from 1850 to 1860, at which time he came to Wisconsin and began the study of law at La Crosse, where he was admitted to the bar in April, 1861. Enlisting as a private of Company B, Second Wisconsin regiment, May 22, 1861; in September of same year he was made orderly sergeant; and later held commissions of second and first lieutenant and adjutant. During the Gettysburg campaign, in which he was wounded, he was aide-de-camp on the staff of the first brigade, first division of the first army corps. During the Wilderness campaign he held the same position in the fifth army corps. July 30, 1864, he was mustered out at Madison, and has since practiced law at La Crosse. He was district attorney of his county for eight years, from 1866 to 1874; was elected alderman in 1868, and held the office for two terms of three years each; was mayor in 1874, and a candidate for state senator on the democratic and liberal ticket in 1872.

OVIS B. WYMAN, Viroqua, was born in the State of Vermont, was educated at Wisconsin State University; read law at Viroqua; was admitted to the bar at Viroqua in 1878; is in practice with Colonel L. J. Rusk at Viroqua, the firm being Rusk & Wyman; has filled the office of county superintendent of schools, and that of district attorney for the county of Vernon.

SEVENTH CIRCUIT.

ELISHA L. BUMP, Wausau, was born in Otsego county, New York, July 10, 1849. Completing his education at an academy in that state, he studied law in 1868 and 1869 with V. A. Willard, at Belmont, New York, finishing his course with E. L. Browne, Waupaca, Wisconsin, and was admitted to the Waupaca county bar in December, 1870. Locating at Wausau, he entered into practice in partnership with W. C. Silverthorn, in November, 1871. In February, 1874, he was admitted to practice in the supreme court of the state, and held the office of district attorney for Marathon county in 1873 and 1874. He removed to Waupaca in May, 1875, and was in partnership with E. L. Browne, at that place, until March, 1879, when he again located at Wausau, where he now resides and is engaged in the practice of his profession. While living at Waupaca he was chairman of the board of supervisors of Waupaca county for 1877 and 1878. Mr. Bump is a member of the order of I. O. O. F., and of the blue lodge chapter and council of the F. and A. Masons.

CHARLES T. CROSBY, Wausau, was born in Jefferson county, Wisconsin, December 12, 1847, and was educated in the public schools, the Bronson Institute, Point Bluff, completing his studies at the Kilbourn Institute, Kilbourn City. He read law with J. Bowman, Kilbourn City, and was admitted in the fall of 1870, at Friendship, Adams county. His practice has been at Luverne, Minnesota, and with B. W. James, his present partner, at Wausau, where he now resides. When living in Minnesota he held the office of county judge for Rock county; was district attorney for the same county in 1872, 1873 and 1874; was elected to the Minnesota legislature in 1874; came to Wausau in July, 1875, and in 1877 was elected district attorney for Marathon county. Mr. Crosby is a member of Forest Lodge of F. and A. Masons at Wausau, also of Wausau Chapter R. A. Masons, the Berlin Commandery of Knights Templar, and a member of the Knights of Honor, and the I. O. of Odd Fellows.

Mr. Crosby is now member of the state senate, having been elected November, 1880, as a republican, by a majority of 1,074 votes, in a strongly democratic district, over George W. Cate, ex-member of Congress of the eighth congressional district. For the session of the legislature of 1881 Senator Crosby served on the committee on the

judiciary and on engrossed bills, and on important committees at the session of 1882.

CHARLES T. ELDRED, Wausau, was born in Warren, Pennsylvania, in 1841; was educated at the University of Northern Pennsylvania; read law in Pennsylvania; was admitted in December, 1861; entered the army in 1862 in the Eleventh Regiment New York cavalry, and served till the close of the war; practiced law in Howsdale, Pennsylvania, until 1873, when he came to Wausau, Wisconsin, where he has since resided in the practice of his profession. He was district attorney of Wayne county, Pennsylvania, one term, assessor of internal revenue during President Johnson's administration, and is now district attorney of Marathon county.

JAMES A. FELCH, Stevens Point, was born in the town of Somers, Kenosha county, Wisconsin, and his parents were Alson and Aurilla Felch. He was educated at Hillsdale, Michigan. Commencing the study of law with D. L. Shorey, in Chicago, he completed it in the Chicago Law School, and was admitted to the bar in June 1869. He settled at Stevens Point in the spring of 1870, where he has ever since resided. Practicing alone for six years, he was in partnership with A. H. Lamoreux during 1877, 1878 and 1879. He was city attorney one year from the spring of 1875, and is now justice of the peace, having held the office seven years consecutively.

FRANK M. GUERNSEY, Clintonville, was born in Chenango county, New York, February 22, 1839; was educated at Oberlin, Ohio; studied law with Wheeler and Kimball at Berlin, Wisconsin; was admitted to the bar at Berlin in 1862, and is in practice at Clintonville. In August, 1862, Mr. Guernsey enlisted as a private, and was discharged in June, 1865, as captain of Company E, Thirty-second Wisconsin regiment, having participated in all the battles in which the regiment was engaged during the campaigns in which it took part.

M. A. HURLEY, Wausau, was born in Ottawa, Canada, October 23, 1840, and his parents brought him, when in his infancy, to Ogdensburg, New York, where his father died when this son was between nine and ten years of age. He attended public schools in his younger years, and



was prepared for college, but ill health prevented his going through a course, and he had three years' instruction under private tutors. In 1856 he came to Wisconsin, read law with Ryan & Kimball, Green Lake county, and was admitted to the bar in 1868 in that county. Subsequently he was elected and served as district attorney for Green Lake county, which office he resigned and went to Wausau, where he formed a partnership with W. C. Silverthorn, which connection continues. Mr. Hurley is considered by his associates of the Marathon county bar and elsewhere, as a rising young lawyer.

WILLIS WILSON HASELTINE, Stevens Point, was born in Brooklyn, Green county, Wisconsin, and his parents were J. W. and Sarah A. Haseltine. He was educated at Evansville Seminary, Evansville, Wisconsin. Subsequently he studied law in the office of Orton, Keyes & Chynoweth at Madison, graduated from the State University Law School, and was admitted to the bar, at Madison, by the supreme court, June 20, 1876. He settled down in the practice of his profession at Stevens Point, and is connected with J. O. Raymond in the firm of Raymond & Haseltine. Mr. Haseltine has achieved eminent success in his law practice, and high standing as a citizen.

B. W. JAMES, Wausau, was born at Otsego, Columbia county, Wisconsin, September 2, 1847. His father, Stephen James, was a pioneer farmer of this state, having settled at Otsego as early as 1844. His son, B. W. James, was two years a student in the Wayland University, at Beaver Dam, afterward went through a course of study at the State University, from which he graduated in June, 1872, with honors. He then entered the University Law School, from which he graduated in the class of 1873. In October of the same year he entered into practice at Wausau, and has been in partnership with C. F. Crosby nearly all the time since. He has been superintendent of the Wausau city schools seven years, and is one of the board of visitors of the State University. Mr. James has met with eminent success in the business of life. In September, 1873, he married Miss May Haines, of Columbus, and they have several children. Mrs. James is notable for valuable and interesting contributions to the press, before and since her marriage.

D. LLOYD JONES, Stevens Point, was born in the parish of Stanfair, Denbighshire, North Wales, October 9, 1841, his parents being Edward and Anna Maria Jones, and was educated in the public schools of that country. He immigrated to Wisconsin in the year 1858. Mr. Jones has a meritorious war record, having enlisted December 9, 1861, as a private in Company C, Sixteenth Wisconsin regiment, and went to the front. He was engaged in all the battles in which that regiment participated; was wounded in a charge on the enemy's works on Leggett's Hill before Atlanta; was promoted to second lieutenant of Company C, August 4, 1864, and to adjutant of his regiment, February 17, 1865, and was mustered out after the close of the war, August 4, 1865. He afterward commenced the study of law, and graduated at the State University Law School, at Madison, and was admitted to practice by the state supreme court in June 1871. Settling at Stevens Point he commenced practicing law in partnership with G. L. Park, which partnership continued until March 4, 1875, and from August, 1876, to the present time he has been in partnership with A. W. Sanborn.

C. S. OGDEN, Waupaca, was born at Cannonsville, Delaware county, New York, August 2, 1819. After receiving an academic education he removed in 1834 to western Michigan, where he resided for fourteen years, serving as school inspector, and in some other minor offices. In 1848 he located at Plover, Portage county, Wisconsin. Six years later he removed to Waupaca county, where he founded the village of Ogdensburgh. In 1856 he was admitted to the bar, and is still practicing law, and serving as county judge. Being a very public-spirited citizen, and having an eminent capacity for public duties, Judge Ogden has been persistently conscripted by his fellow citizens, and has held some public office every year since his arrival in the state except the first. He was never defeated for an elective office. He has also engaged in numerous industrial enterprises,—saw mills, foundries and machine shops, in which he seems to have been followed by an untiring fate, having lost no less than \$25,000 by fire. He also established the Waupaca county Republican, the New London Times, and assisted in establishing the Taylor county News and Waupaca Post, all of which papers are still in vigorous existence. Judge Ogden is a son of Abraham Ogden, who took up his residence at Madison, Wisconsin, in 1846, and was an honored citizen of that place until he died at an advanced age. His



mother is still living at the age of eighty-two, and is quite as well preserved as most ladies of fifty.

WILLIAM H. PACKARD, Stevens Point, was born in Springfield, Massachusetts, December 24, 1828. When he was seven years of age his parents removed to York, Medina county, Ohio, where he remained with them until May, 1850, when he came to southern Wisconsin. In December of the same year he removed to Washara county, and in June, 1853, to Stevens Point. In the fall of 1854 he went to Marathon county, where he was engaged in building mills until the spring of 1856, when he returned to Stevens Point, and continued in the same business in that section for some length of time. In the fall of 1858 he was elected register of deeds for Portage county, and held the office by reelection until January, 1867, when he received the appointment of clerk of the circuit court, and served until June 1872. In June of the same year he commenced the practice of law in partnership, four years, with J. O. Raymond, at Stevens Point. He was elected district attorney for Portage county in 1874, and held the office by reelection until 1880. While serving as clerk of the court he was again elected; in the fall of 1870, register of deeds, and fulfilled the duties of both offices until 1872, when he was again elected register of deeds. While serving his second term as register of deeds he was deputy county treasurer, and discharged the duties of both offices, and while serving his third and fourth terms as register was appointed under-sheriff and jailer, and discharged the duties of both offices, virtually performing all the duties of sheriff during the time. During the years 1861 and 1862 he was likewise deputy county treasurer. For the greater portion of the terms that he was register of deeds and clerk of the court he was deputy clerk of the board of supervisors. While residing at Plover, before the removal of the county seat to Stevens Point, he was assessor and chairman of the board of supervisors. In 1874 he was elected district attorney for Portage county, and re-elected in 1878 and 1880.

In February, 1853, Mr. Packard married Elizabeth A. Beach, at Oasis, Wisconsin, and they have seven children.

MYRON REED, Waupaca, was born at Massena, St. Lawrence county, New York, September 19, 1836, his parents being Heman L. and

Sophia Reed. He was educated at Union Academy, Belleville, Jefferson county, New York. He commenced the study of law in the office of D. D. Mott, Massena, in 1856, and afterward attended two terms of the law school at Albany, in 1857 and 1858, and was admitted to the bar the latter year. In the spring of 1859 he came to Waupaca, where he has since resided, and commenced practice in company with M. H. Sessions, with whom he continued for about seven years; since which time he has been alone, and has succeeded in building up as large a practice as any attorney in Waupaca county. Mr. Reed, though averse to holding office, has always manifested an interest in politics, being one of the staunchest and most faithful democrats in northern Wisconsin. At one time he served as district attorney of Waupaca county, having been appointed to that position by Governor Fairchild to fill a vacancy. He was state senator in 1871 and 1872, being upon the judiciary and other important committees. To him belongs the credit of securing the passage of the constitutional amendment restricting local legislation. He has been mayor of the city of Waupaca, and member of the board of supervisors. To his influence, skill and perseverance, Waupaca county is indebted for the fine new court-house now in process of erection. He is at the head of the Masonic fraternity in his city, and to his devotion to that institution is due the fact that Waupaca boasts one of the most prosperous lodges in the state. Mr. Reed has been identified with several public enterprises in his part of the state, all of which have prospered. He has filled many positions of public trust and confidence, and has never been recreant to any.

JAMES O. RAYMOND, Stevens Point, was born in the town of McDonough, Chenango county, New York, May 31, 1831. His parents were Edward and Maria Osborn Raymond. He attended common schools, and the academies at Newark Valley and Owego, Tioga county, New York. At the age of twenty-two he commenced studying law with John M. Parker, at Owego, New York. In the spring of 1855 he came to Wisconsin, and in the spring of 1856 located at Plover, and on May 26, 1856, was admitted to practice in the circuit courts of this state, and immediately formed a copartnership with Luther Hanchett, for the practice of law, which continued until his death in 1862. At the November election, in 1856, he was elected district attorney for



Portage county, and in 1858 was reëlected. In February, 1865, he entered the army as orderly sergeant of Company C, Fifty-second Wisconsin regiment, and served until the regiment was disbanded in August of that year. He was elected member of the assembly, and served during the session of 1866; was a member of the judiciary committee, and committee on incorporations. He was elected district attorney of Portage county in 1866, and served two years. In July, 1873, he removed to Stevens Point, where he has since resided. In 1875 he was a candidate for circuit judge against G. L. Park, present incumbent. In 1877 he formed a copartnership for the practice of law, with W. W. Haseltine, which still continues. In March, 1881, he was appointed postmaster at Stevens Point, by President Garfield, and still holds the office. February 26, 1866, he was admitted to practice in the supreme court of this state, and June 2, 1873, to the United States circuit and district courts of the state.

ALBERT W. SANBORN, Stevens Point, was born at Swanton, Vermont, January 17, 1853; was educated at Muskingum College, New Concord, Ohio; read law with Barnes & Anderson, at Cambridge, Ohio; was admitted to the bar at Cambridge, Ohio, April 16, 1876, and is in practice with D. Lloyd Jones, at Stevens Point.

EIGHTH CIRCUIT.

WILLIAM PITT BARTLETT, Eau Claire, is a native of Maine, but has lived so many years in this state, and has been so closely identified with all public matters pertaining to the welfare of Wisconsin during the past quarter of a century that he is, it might be said, "to the manor born." He was born September 13, 1829, at Minot, Maine, and is the son of John H. and Phebe Bartlett. In March, 1833, his father moved to New Portland, then almost an unbroken wilderness in the northern part of Maine, and it was at this place that the subject of this sketch passed his boyhood and early youth. At fifteen years of age he commenced teaching school winters, and at the same time preparing himself for college. In 1849 he entered Waterville College, at Waterville, Maine, and graduated four years later in 1853. He immediately commenced the study of law, and in the meantime supporting himself by teaching school. In the fall of 1855 we find him coming west to seek a wider and larger field of action. He stopped at Watertown, where he remained until the

spring of 1877, and then moved to Eau Claire. At that time Eau Claire was a mere village with but few inhabitants, and no lawyer in the county before Mr. Bartlett made that his home, and commenced the practice of his profession. From that time until the present, which is twenty-four years, no lawyer in the state has devoted himself with more zeal, energy and untiring perseverance to his profession than has Mr. Bartlett. Possessed with a fine classical education, his mind thoroughly trained, and being in the prime of early manhood, he was well fitted to make his mark among the lawyers of the state.

In 1860 he was admitted to the supreme court of the state, and in 1874 to the supreme court of the United States. His practice in Eau Claire and surrounding counties has been large, and especially in cases in the supreme and higher courts. Brought in contact with the best lawyers of the state he has ably and well obtained the standing and reputation of being one of the best and most faithful lawyers in the state. In politics he is a firm, unrelenting republican, and one of the founders of the republican party. Though not allowing politics to interfere with his profession, he has been called upon to hold, and has held, several offices of honor and trust. In 1857 he was elected district attorney of Eau Claire county which he held two years; in 1860 he was member of Wisconsin legislature; in 1860, 1861 and 1862, county judge of Eau Claire county; from 1863 to 1867, district attorney; again of Eau Claire county in 1873; again elected to the legislature in 1874; and was appointed register of the United States Land Office, which position he held for four years with much credit. He is now, fifty-two years of age, and as active as when a young man commencing practice. Mr. Bartlett was married in 1861 to Miss Hattie Hart, daughter of Edward W. Hart, of Baraboo, and they have one daughter and four sons. At this date, October, 1881, the daughter, now nineteen years old, is attending the State Normal School, at Oshkosh, and the eldest son, a young man of seventeen years, is a cadet in the senior class of the military academy at Orchard Lake, Michigan.

Mr. Bartlett is still in the active practice of his profession, and of the firm of Bartlett & Hayden. Always deeply interested in all educational and public concerns, he finds time to attend personally to those matters that are of the greatest importance, but often sadly neglected, because capable men will not, usually, devote their time to business in which there is no pay. Not so with Mr. Bartlett. Educational and city



matters always are watched over and cared for by him, and few public men in the state have done more than he has to promote the welfare and prosperity of our public schools. He has been a member of the school board in the district where he resides continuously for twenty-four years, and was elected last July again for three years. At the present time he is alderman from the third ward of the city of Eau Claire, and president of the common council. Mr. Bartlett has long been a prominent lawyer and citizen in the state, and is a recognized leader in political matters in the section in which he resides. In all local public enterprises he is among the foremost in active work and coöperation with others in schemes and doings for the public welfare. Only yet in the prime of life, few at his age have arrived to equal distinction and usefulness.

JAMES H. CULBERTSON, Eau Claire, was born in Albany, Whiteside county, Illinois, and is son of Samuel and Margaret Culbertson. His education was obtained at the Hamline University, Red Wing, Minnesota; studied law with M. D. Bartlett, Eau Claire, from 1874 to 1876; was admitted to the bar in Pepin county at the October term of the circuit court of 1876, and is now in practice alone in Eau Claire.

W. W. DOWNS, Eau Claire, was born in Menomonee, Wisconsin, November 7, 1851, and is the son of B. B. and Laura Downs, both of whom are living. His education was acquired at Madison, where he graduated from the law school of the State University in the class of 1874, and was admitted to the bar by the supreme court at the same time. At once commencing practice in Eau Claire, he has continued it there to the present time with success. He has been an alderman of the city of Eau Claire for one term.

AUGUSTUS FINKELNBURG, Fountain City, was born in Marienlinden, Prussia, May 8, 1830. His father was Wilhelm Finkelnburg. He was educated at a college in Munstereifel, Prussia; studied law with A. Krekel, judge of United States district court, Jefferson City, Missouri; was admitted at Buffalo county, Wisconsin, and is in practice at Fountain City. Mr. Finkelnburg has been county judge, county superintendent of schools, member of the assembly in 1874, and is senator for 1881 and 1882. For the session of 1881, Senator Finkelnburg was

chairman of the committee on privileges and elections, and a member of that on insurance, banks and banking. William A. Finkelnburg, son of the above named gentleman, was born in Fountain City; is now twenty-two years of age; studied law in St. Louis, Missouri; was admitted in 1880, and is in practice in Fountain City as partner of his father.

T. F. FRAWLEY, Eau Claire, was born in the city of Troy, in the State of New York, March 6, 1851, and is the son of Thomas and Honora Frawley. He graduated from the University of Wisconsin in 1875, receiving the master degree from the same institution in 1880; was principal of the first district high school of Eau Claire, from the fall of 1875 until entering the practice of law, in July 1880; studied law for a short time at the city of Madison, with La Fayette Smith; was admitted to the bar at the city of Eau Claire, in March, 1880, and has practiced, since entering the profession, at Eau Claire. He is member of the common council and clerk of the school board of the city of Eau Claire.

FRANKLIN L. GILSON, Ellsworth, was born at Middlefield, Geauga county, Ohio, October 22, 1846, his parents being W. H. and Sylvia L. Gilson. He received a partial collegiate education at Hiram, and at Oberlin College, Ohio; studied law at West Bend, Wisconsin, with Frisby & Weil, from 1870 to 1872; was admitted October 22, 1870, at West Bend, and has practiced at Ellsworth from the fall of 1872 to the present time. From 1874 to 1876 he practiced with J. H. Wilkinson, the firm being Gilson & Wilkinson. In 1881 he formed a partnership with J. W. Hancock, which continues as Gilson & Hancock. Mr. Gilson has been somewhat in public life, having been district attorney of Pierce county from 1874 to 1880; was a delegate to the republican national convention held in Chicago in June, 1880, and was a member of the assembly of 1881. During the session of the latter he was a member of the committee on the judiciary and that of medical societies. He introduced (and it passed) a bill cutting down the pay of the employes of the legislature. He was again elected member of the assembly in 1881, and at the session of 1882 was chosen speaker.

MICHAEL GRIFFIN. Eau Claire, was born in the county of Clare, Ireland, September 9, 1842; came to America in 1847, and to Wisconsin

in 1856; settling first in Sauk county. His education was in the public schools, and afterward studied law with J. Bowman, of Kilbourn city, and was admitted to the bar at Portage city in 1868. In 1861 he enlisted for the war in Company E, Twelfth Wisconsin regiment; was promoted to first lieutenant, and continued in the service to the close of the war. He was in the siege of Vicksburg, and other important engagements, and went through Sherman's campaigns, including his march to the sea. Having been mustered out when hostilities were ended, he removed his home to Kilbourn city, and began the study of law. While residing in that place he was member of the county board for two terms, and was elected to the assembly as a republican in 1875, and was chairman of the committee on judiciary of the assembly at its session in 1876. His residence was changed to Eau Claire in 1876, where he was appointed city attorney in 1878, and reappointed in 1879 and 1880. In the fall of 1879 he was elected state senator from the thirtieth senatorial district, comprising the counties of Dunn, Eau Claire and Pierce, and served as a member of the committee on judiciary, and chairman of the committee on federal relations of the senate for the two sessions of his term as senator. Senator Griffin was an active and useful member both in the house and the senate, reflecting credit upon himself and his constituents. While serving in the house he made the argument before the assembly in support of the report of the committee on privileges and elections, of which he was a member, in the famous Bennett against Gray, contested election case, by which Gray was unseated, in accordance with the report of the committee. As a lawyer he is accounted one of the best at the Eau Claire bar, having succeeded in building up a fine and lucrative practice during his residence in that city. He is industrious and attends strictly to business, and is a man of strict integrity and thoroughly reliable.

A. M. GIBBONS, Eau Claire, was born in Chillicothe, Ohio, in the year 1837. His parents were James H. and Elizabeth Mead Gibbons, who afterward came west and settled in Illinois, while he was a mere child. His education was mainly such as the common schools of the country afforded, finishing up the same at an academy at Granville, Illinois. He was a diligent student, and his time was improved to the best advantage, particularly during his year and a half at Granville. Choosing the law for a profession he entered upon its study with Ira Fenn, of Illinois, and after two years' close attention to study was admitted to

practice by the supreme court at Ottawa, Illinois. Immediately opening an office he began practice, and continued the same until he concluded to seek a broader and more inviting field. He tarried awhile at Peoria, Illinois, thence he went to Colorado, and finally Oregon. Mr. Gibbons crossed the country to the Pacific coast in 1859, and reached the city of Portland in the fall of the year. He there went into the office of David Logan. He was appointed, by Judge Waite, states attorney for the district comprising the northern part of the state. All of this judicial district was reached by steamboat, as it lay on the Willamette and Columbia rivers. He remained there until the spring of 1861, when he settled up his business and went to Washington. Mr. Bates, the attorney general, offered the office of United States district attorney for Oregon to him, but he declined to accept it. He was among the early volunteers in the war of the rebellion, as he joined a company which was organized before the call for volunteers was issued by President Lincoln, and which company was recognized after such call, and regularly mustered into the service. At his discharge he visited Washington and New York for a short time, and then returned to Illinois and resumed the practice of the law. Mr. Gibbons was a delegate to the national union convention, which was held at Philadelphia in 1866, and took an active part in the discussions of that body. He entertains broad and liberal views, and is equal to almost any emergency. He is a well read lawyer, well adapted to dispatch business, and a ready speaker. In the spring of 1878 he located in Eau Claire, where he now resides.

HENRY H. HAYDEN, Eau Claire, was born in Schenectady, New York, May 3, 1841. Educated in the common schools, he studied law with Jackson & Halsey, and Felker & Weisbrod, Oshkosh, and was admitted to the bar in the same city, December 22, 1870. Coming to Eau Claire to practice his profession, Mr. Hayden became a member of the existing firm of Bartlett & Hayden, William Pitt Bartlett being the senior partner. In the war of the rebellion he served in company H, Thirty-sixth Illinois Regiment.

LEWIS R. LARSON, Eau Claire, was born near Bergen, Norway September 1, 1849, his parents being Elling and Martha Larsen. Coming to this country in the spring of 1850, his early education was at the village schools of Columbus, Wisconsin, and was graduated from

the State University in the class of 1872. His law studies were with A. G. Cook, at Columbus, and he was admitted to the bar at Portage, May 20, 1874. After admission he remained in the office of Mr. Cook, as his assistant, until he removed to Eau Claire, where he opened an office June 14, 1875. Since settling in Eau Claire Judge Larson filled the office of city attorney from April, 1876, to April, 1877, when he was elected municipal judge, which position he now holds.

ALEXANDER MEGGETT, Eau Claire, son of Alexander and Sarah MacArthur Meggett, was born in Glasgow, Scotland, March 26, 1824, and is a half-brother of Arthur MacArthur, now on the bench of the supreme court of the District of Columbia. The family name is very rare, but occurs in English literature, in Sir Walter Scott's *Lady of the Lake*, as the name of a mead or meadow, and the subject of this sketch is the oldest living representative of the family in this country. His father, a man of clear head and sturdy integrity, was a weaver, emigrated to this country in 1827, and settled at Uxbridge, Massachusetts. There, at the early age of eight years, the son was put to work in a cotton factory under his father, and he followed this vocation in various departments until he was nineteen years old. Never satisfied with his condition in life, being imbued with a strong desire for an education, impelled by an ambition inherited of his mother, he abandoned factory life, with his father's consent, and at once took to books and study with a severe Scotch perseverance and tenacity inherited of his father.

Commencing at Wilbraham Academy, in 1843, by his own exertions he worked his way through many impediments; teaching at intervals to defray his expenses. The year 1846 found him in Middletown University, in Connecticut, pursuing a scientific course of study. After leaving the university, he taught about five years in the public schools of Rhode Island and Massachusetts, in Slatersville and vicinity, and Pawtucket. During the last two years of his teaching at the latter place he devoted his leisure hours to the reading of law with C. B. Farnsworth; then abandoned teaching and pursued and finished his legal studies with T. A. Jencks, of Rhode Island; was admitted to the bar in the city of Providence, in March, 1853, and to practice in the United States courts three years later. Still ambitious for success in his profession, he emigrated to Wisconsin in 1857, and settled

at Eau Claire, in July of that year, as the second lawyer of this then new settlement; at once entered upon the practice of his profession, and for a brief period was the sole editor of the Eau Claire Times. He rose in his profession rapidly, and became especially and deservedly prominent as a criminal lawyer. It may be said that no man of his age in this state has had a more varied and extensive criminal practice, particularly in the number and noted capital cases, he has prosecuted and defended in the twenty-two years of his practice in this state, and is especially noted for his unswerving fidelity to the interests of his clients, and the determined tenacity of purpose with which he presses his causes, notwithstanding which he has a genial and very jovial disposition.

When the first railway reached Eau Claire, in 1870, he was by common consent selected and honored as the orator at the celebration of this auspicious event, and it is but justice to accord to him the merit of a ready, fluent, and entertaining speaker.

For years he was one of the leading democrats in his part of the state, but was, however, during our late civil war, the cordial and hearty supporter of the Union cause. In the Greeley campaign in 1872, his connection with the democratic party was dissolved, and since then he has heartily affiliated with the republicans. In 1859, in compliance with the urgent request of his democratic friends, he ran for state senator, and in 1870, on the Union ticket for congress, in the strongest republican district in the state, and ran greatly ahead of his ticket, reducing the usual large republican majority in his own county to only 147 against him.

In 1876 he was tendered a call, without distinction of party, to become a candidate for the office of judge of the thirteenth judicial circuit, then just formed, but he did not run for the office. He is now, by recent executive appointment, register of the United States land office at Eau Claire. Mr. Meggett is a prominent member of the masonic fraternity, is of the thirty-second degree in the Scottish Rite, and is a past deputy grand master of the state in the order. In his religious culture he was educated in the severe Scotch mould; contributes liberally to church support, and is an outspoken and unswerving advocate of all that tends to moral, social and religious advancement.

CONRAD MOSER, Jr., Alma, is one of the most prominent of the lawyers of foreign birth in Wisconsin. He is identified with the history of northern Wisconsin, particularly, and in a general way with that of the state. His attainments, his achievements, his unsullied character, entitle him to rank among the best citizens of this state. He came to northern Wisconsin, during its formative period, and has been one of the important factors in its upbuilding from the plastic state, as it were, to the present induration. He was born in Switzerland in 1835, and received a thorough academic education at Zurich. His entire youth and early manhood, until he arrived at his majority, were spent in school; his father was an educator in Switzerland. In 1856 the family came to this country, and located at Alma, Buffalo county, Wisconsin, where they now reside, the father being over eighty years of age. From 1858 to 1861 he was a student in the St. Louis Law Institute; was admitted to the bar at La Crosse in 1864, commenced practice in Alma, and has been there since. He was elected and served as probate judge of that county. In 1866 he was elected to the legislature, and reelected in 1867; was chairman of the committee on town and county organization, and a member of other committees, that on education among the number. He was an active legislator, and took a prominent part in the important legislation of those years; was the champion of the noted Boeuf Slough bill, which was a measure that excited great opposition, as it touched a vital interest in northern Wisconsin, the lumber interest. He was identified in a prominent way with all legislation pertaining to the educational and railroad interests of the state especially. In 1880 he published the work called the Lawyer's Diary, which has a universal sale. In it he gives a code of ethics which should prevail among honorable and high minded lawyers and judges, and other valuable information. He is a gentleman of varied attainments, a careful and reliable lawyer, a good citizen and a gentleman highly esteemed by all who know him.

S. W. McCASLIN, Eau Claire, was born November 3, 1844, at Neillsburg, Forest county, Pennsylvania. His parents are James and Hannah McCaslin. He was educated at Neillsburg Academy, Pennsylvania, and at the State Normal School, Edinboro, Erie county, Pennsylvania; studied law with W. W. Nevison, of Painesville, Lake county, Ohio; was admitted to the bar at Cleveland, Ohio, September 6, 1866;

practiced with W. W. Nevison, at Painesville, Ohio, until 1868, when he moved to St. Charles, Winona county, Minnesota, where he practiced with Edwin Hill for four years, and in February, 1872, moved to Eau Claire, where he has since practiced, having had partnerships with M. D. & E. M. Bartlett, and W. F. Bailey, until fall of 1877, since which time he has been and is still practicing alone. He was a member of the city council of the city of Eau Claire two years, 1874 and 1875, and is a member of all the courts of Ohio, Minnesota and Wisconsin.

JOHN C. SPOONER, Hudson, was born in Lawrenceburg, Dearborn county, Indiana, January 6, 1843, and came to Madison in 1859 with his father's family. His education was completed at the Wisconsin State University, at which institution he graduated in 1864. Adopting the law for a profession, he entered upon its study in Madison, in the office of his father, P. L. Spooner; went through a course of instruction in the University Law School; was admitted to the bar, and began practice at Madison. During the war of the rebellion he enlisted in the ranks of Company D, Fortieth Wisconsin regiment, which took him to the plains of Dakota, and was breveted major for faithful and meritorious services. After the close of the war Major Spooner became private secretary to Governor Fairchild; was subsequently assistant attorney-general under Attorney-General S. S. Barlow; is now a regent of the State University, a deserved compliment to one of its alumni, the first of the like bestowed; and during the administration of Governor Fairchild, was a member of his military staff with the rank of Colonel. In 1870 Colonel Spooner established his residence and business at Hudson, where he was for some years in law practice with H. C. Baker, and in the fall of 1871, was elected member of the assembly in which he served with distinction at the session that followed in the winter of 1872. At that time the State University was struggling along with inadequate support; and it is to the credit of Colonel Spooner that he nobly championed the cause of his Alma Mater, and with speech and persistent work, succeeded in procuring that aid from the legislature which, so greatly needed, placed it on the financial basis that gave a fresh impulse to the workings of the institution that has resulted in bringing it up to a standard of merit of high character, and the usefulness of which is felt by all friends of education in the state. While in active general practice at Hudson, his firm was employed in



John B. Shaver



the legal business of what was then the West Wisconsin railroad; and the aptitude of Colonel Spooner in conducting causes of the company, led to his call to the office of general solicitor of that company, which he has ever since filled. In this capacity he has become conspicuous, while, at the same time, he has achieved an elevated position as a learned and profound lawyer, and successful advocate at the bar. Far from being a professed politician, he has, nevertheless, when duty has called, taken the field in some of the political campaigns, and performed efficient work as a speaker for the republican cause. Addresses that he has made on other subjects have been marked with special excellence, while in legal argument few lawyers among his contemporaries have proved themselves his equal in clearness of statement, logical reasoning and impressive diction. With eminent success in his profession while still young, it is easy to foreshadow the future of his career.

GEORGE CLINTON TEALL, Eau Claire, was born in Seneca county, New York, May 20, 1840. He was of a prominent and influential family, branches of which are located at Syracuse, Albany and Geneva, New York, and received his education principally at the latter place. He was a member of the class of 1862 at Hobart College. His ancestors were among the Pilgrim Fathers who landed from the May Flower at Plymouth in 1620, and later were among the defenders of republican liberty in the revolutionary war. Judge Teall studied law at Rochester, New York, from 1862 to 1864, first in the office of T. R. Strong, formerly of the New York court of appeals, and afterward with the Surrogate of Monroe county, where he acquired a special knowledge of probate law and practice, to which he has since devoted much attention, and also attended a course of law lectures, at Rochester, in 1863 and 1864. He was admitted to practice in this state, at Milwaukee, in January, 1872, since which time he has been actively engaged in the practice of law, at Eau Claire, Wisconsin, and is an industrious lawyer. From 1872 to 1881 he was a member of the law firm of Meggett & Teall, and has been engaged in many important cases, civil and criminal, in which he has been quite generally successful. He is eminent commander of Chippewa Commandery No. 8, of Knights Templar, and a member S.P.R.S. of Wisconsin Consistory A.A.S.R. at Milwaukee. Judge Teall has resided at Eau Claire since 1866, and has several times been elected to office in his county, but is not a politician. He has always been a

thorough republican, consistent and progressive, devotes himself assiduously to his profession, and is a lawyer of unswerving integrity. He has been twice appointed, and three times elected to the office of county judge, which he now holds, and to which he was elected without opposition, in April, 1881, for the term ending January 1866.

LEVI M. VILAS, Eau Claire, was born in Chelsea, Orange county, Vermont, February 17, 1844. He was the third son of Levi B. Vilas, elsewhere commemorated in this volume. Graduating from the University of Wisconsin in 1863, he immediately entered the Albany Law School, from which he was graduated in 1864. He was thereupon admitted to the bar by the supreme court of New York. In 1868 he removed to Eau Claire, Wisconsin, where he still resides, engaged in active practice. His rank is acknowledged among the leaders of the bar of northwestern Wisconsin. An extensive business and large clientage from the prominent and energetic men, who have developed the great interests on the Chippewa river and its tributaries, attest the confidence and appreciation in which he is held in that community. The writer of this sketch well knows the estimate placed upon Mr. Vilas by his professional brethren. By them he is universally regarded as well forward in the front rank of the lawyers of the state; clear and accurate in judgment, thorough in learning, conscientious and painstaking in the preparation of causes, and strong and vigilant in trial. He has a gift of expressing his views in a terse, lucid and forcible style, admirably adapted to legal argument. His mind is strongly judicial, and his qualities are commonly accepted as prophetic of distinction on the bench in due season. A genial address and manner, an open bearing, a kindly, sympathetic nature, grounded upon a character of sterling integrity, render him deservedly popular in his community, and with his profession. Although too thorough a lawyer to be active in politics, and adhering to the party in minority in his city and county, marks of popular favor have come to him unsought, and in spite of party prejudice. He was elected city attorney of Eau Claire in 1872, its mayor in 1876, district attorney of Eau Claire county in 1877, and was reelected to that office in 1879.

L. P. WETHERBY, Hudson, was born in Onondaga county, New York, October 7, 1824, studied law with Angel & Grover, Allegany county, New York; was admitted to the bar in New York city in 1840;

was district attorney, and county judge in New York from 1848 to 1852. Coming to Wisconsin he was elected judge of the circuit court of the eighth district of Wisconsin, in the spring of 1860 for six years, and served out the term acceptably.

NINTH CIRCUIT.

ALEXANDER BOTKIN, Madison. At Sun Prairie, in the county of Dane and State of Wisconsin, and while absent from his home on business, from what is supposed to have been a disease of the heart, Colonel Alexander Botkin, on March 5, 1857, at the age of fifty-six years, suddenly deceased. The stroke was sudden and unexpected, but he died surrounded by friends, for there was not a hamlet in the county where he was not well and favorably known, and where he would not have found ready hands and willing hearts to give him cheer and welcome in sickness or in health. To his faithful companion, Jane Roslin Sinclair, to whom he was married in September, 1835, near Cincinnati, Ohio, and to his three sons, Sinclair W., William W., and Alexander C., aged respectively nineteen, seventeen, and fifteen years, the announcement of the death of a kind father and an affectionate husband was melancholy news, and fell upon his household as an irreparable calamity. The shock to the community was almost as severe as to the family itself; for Colonel Botkin was known to everybody in town and country, and everybody esteemed him as a friend and as a companion, the young and the old alike. His genial disposition, even temper, and frank and hearty manner made him welcome in all the relations of social and domestic life. He was a man of strong friendships, frank to a fault and tolerant to all. These qualities of mind and manner, united with a fine physique and pleasing address (for Colonel Botkin was six feet in height and weighed two hundred and forty pounds) rendered him personally popular among the people, and one of the centers of attraction in social and political assemblages.

Mr. Botkin was born in the State of Kentucky, on March 4, 1801. Of his parentage we can give no details; records in those days, of deaths even, were rarely preserved or transmitted beyond the boundaries of immediate family tradition, and there is but little that we know of the early boyhood and dawning manhood of our deceased friend. We only know that he was a strong, stalwart youth, and that at an early age he removed to Ohio, and subsequently, in 1836, settled at Alton, in Illinois,

and which place, at that time, was a rival of the city of St. Louis. About this time Lovejoy, the noted abolitionist, was killed in a riot, and Mr. Botkin being a justice of the peace, was one of the staff of peace officers who, at the peril of their own lives, sought to prevent the effusion of blood. In June, 1841, he came to Madison with his family, as assistant secretary of the territory under A. P. Field, who was secretary. He was subsequently the law partner of Mr. Field. For the law, he had had no special training, but possessing naturally a logical mind, strong reasoning powers and fluency of speech, he soon took rank as one of the ablest jury lawyers in the territory, which position he maintained up to the time of his death.

Mr. Botkin was preëminently fitted for political tournaments. He belonged to the whig school of politicians, and Henry Clay, of his native state, was his political idol. He loved Mr. Clay better than any democrat ever loved Andrew Jackson, and in those days democratic affection for Jackson bordered upon eastern idolatry. The enthusiasm for these respective champions of the whig and democratic parties, was not lessened because of our territorial existence, and Mr. Botkin, owing to his political prominence and his great skill and ability as a public speaker, was designated as a leader under whose generalship the whigs hoped to rescue the territory from the control of the Jackson party. He accordingly, as early as 1845, came to be regarded as the leading whig in the territory outside of Milwaukee, and after the organization into a state he controlled, in a larger degree than any other whig in it, the policy of his party up to the time of its disruption in 1854. He it was who conceived and planned the nomination of Leonard J. Farwell for governor in 1851, and in whose election the democracy of this state received its first stunning blow. Prior to this, and in 1846, he was elected a member of the special session of the territorial assembly for 1847, and for the session of 1848. The assembly district comprised the counties of Green, Dane and Sauk. In 1849 he was elected state senator from his district, and served two years. In 1852 he was returned to the assembly. As a legislator, he was a man of large influence and rendered efficient service in starting the wheels of state government. The old pioneers, now living, point with some degree of pride to the legislators of those days, as compared with those of the present era. They would not suffer by the comparison, and in that array of talent which added lustre to our territorial history and to our early state legislation, Colonel Botkin, in clearness of



J. V. Estlin

for the companionship of these old-time friends? Surely the road to death and immortality is made smooth when first trodden by such as these.

SINCLAIR W. BOTKIN, Madison, is the eldest son of Alexander Botkin, a memoir of whom appears elsewhere in this volume. He was born at Alton, Illinois, September 19, 1838, and removed with his parents to Madison, when about three years of age. He attended the State University of Wisconsin, and graduated in the class of 1857. In 1862 he entered the service as first lieutenant of company A, Twenty-third Wisconsin Infantry, and was soon after promoted to captain. He was engaged in the battles before Vicksburg and the siege, resigning in the fall of 1863. From 1860 to 1862, and again in 1864 and 1865, he was deputy clerk of the supreme court, and assistant state librarian. He completed his law studies in the office of Spooner & Lamb, and was admitted to practice in 1866. Since 1868 he has been a member of the firm of Welch & Botkin. In November, 1875, he was appointed register in bankruptcy, serving in that capacity until he moved to Minneapolis, Minnesota, in May, 1882, together with his partner, to practice law there.

ARTHUR B. BRALEY, Madison, was the only son of Rufus and Hepzee Braley, and was born in Perry, New York, February 11, 1824. His father dying when Arthur B. was young, his systematic education was somewhat neglected; his early reading, however, was extensive, varied and profitable. In the spring of 1843 he ventured out into the world in search of fortune. During this his first venture into the great world, he visited Pennsylvania, Ohio, Kentucky, Tennessee and Virginia. He remained for some months in the southern part of Ohio, near Chillicothe. Leaving this place he next located for a season in Kentucky in the celebrated Blue-grass region. In all these travels his only means of conveyance were the canal, the stage coach, or on foot. In the fall of 1844 he returned to New York. The ensuing spring he commenced the study of law, using borrowed books for that purpose. The succeeding winter months were spent teaching in the Wyoming Valley, Pennsylvania.

Leaving his native place in the spring of 1846 he immigrated to Wisconsin, first settling at Delavan. Completing his legal studies at

that village, he visited Madison in 1848, was admitted to the bar by the presiding judge of the supreme court, and in 1852 went to Madison to reside. On the organization of the city he was elected police justice, and held the office six years. Judge Braley was alderman for 1864 and three succeeding years. During the presidential campaign of 1864 he had editorial charge of the *Daily Patriot*, which was the organ of the democratic party at the capital, and at the close of the canvass returned to the duties of his profession. In 1868 he was elected city attorney, and became principal political editor of the *Daily Democrat*, which position he resigned at the close of the presidential election of 1868.

Moving in the spring of 1869 to Waukesha, he lived there until the fall of 1870, when he returned to Madison, and has resided there until this time. In the spring of 1872 he was elected police justice without opposition, and that court having been reorganized into a county municipal court in the spring of 1874, he was elected without opposition municipal judge for six years. At the ensuing election, which was in April, 1880, there was another Richmond in the field and stubbornly contested the ground, but the judge came off triumphant without special effort.

On February 11, 1855, he married Miss Philida Stevens at Madison, who died in March, 1879. He married again in April, 1880, at Richburgh, Alleghany county, New York, to Miss Alta E. Jordan, daughter of Andrew E. Jordan, of that place.

In the midst of his professional and official duties, Judge Braley has taken time to write much for the press continually for the last twenty-five years on both literary and political subjects. Shakespearean reviews have won him the distinction of being considered the finest Shakespearean scholar in the northwest, and have brought him many pleasing and complimentary testimonials from eminent minds in both continents. These reviews in book form will eventually be ranked among the best Shakespearean lore, and will be of great value to scholars and writers. As a man, "every inch a man"; as a judge, discriminating, just and impartial; as a critic and author, at once concise and eloquent; as a companion and host, genial and hospitable, and generous to a fault. The subject of our sketch deservedly ranks among the foremost men of his state and day.

GEORGE E. BRYANT, Madison, was born at Templeton, Worcester county, Massachusetts, February 11, 1832. His father was George W. Bryant, and his mother Eunice Norcross Bryant. George E. was educated at Norwich University, Vermont, in the same class with General G. M. Dodge and General Ransom. Choosing the profession of the law, he read with Amasa Norcross, M. C., at Fitchburg, Massachusetts, and was admitted in 1856 at Worcester. Shortly afterward he came to Wisconsin, and entered into partnership practice with Myron H. Orton, which continued until 1861. He was captain of the Madison Guards, the first military company from Wisconsin to offer its services to the government at the commencement of the rebellion. The company served five months with the First Wisconsin Regiment on the Potomac, when it was mustered out of service, and Captain Bryant returned home. He was commissioned colonel of the Twelfth Regiment by Governor Randall, September 27, 1861, with which he went into the Indian Territory, thence marching across the plains to west of Fort Riley. Afterward joining the Army of the Tennessee under Grant, with whom he was at Vicksburg, and was with Sherman in the Atlanta campaign, commanding a brigade in the Seventeenth Army Corps at some of the battles. He was in command of the storming party at Bald Hill,—called by General Sherman Leggett's Hill,—July 21, 1864, and the next day successfully defended the same at the so-called battle of Atlanta. At the close of the war Colonel Bryant returned to his farm near Madison, on which he breeds fine stock of many kinds. He was county judge three terms, from 1866 to 1878, and was elected state senator in 1874, and served two years. In January, 1878, he was elected secretary of the State Agricultural Society, which office he still holds. He was a delegate to the republican national convention held in Chicago June 7, 1880, voted steadfastly for Grant, and was one of the two Wisconsin delegates who voted for Vice-President Arthur. General Bryant has been quartermaster-general of Wisconsin since January 1876. He was commissioned postmaster at Madison by President Chester A. Arthur, February 6, 1882.

EDWARD E. BRYANT, Madison, was born in Milton, Chittenden county, Vermont, January 10, 1836, and he lived there until he came to Janesville, Wisconsin, in the spring of 1857. Having prepared him-

self in the study of the law, he was admitted to the bar in the fall of 1857, when he located in Monroe, in the practice of the profession. In connection with James Bintliff he purchased the Monroe Sentinel in 1857, which they published together until the war of the rebellion broke out, when he enlisted in June, 1861, as a private in company C, Third Wisconsin Infantry; was promoted to sergeant-major before leaving the state, served three years as first lieutenant of company A, and was also adjutant of the same regiment. On July 1, 1864, he was appointed commissioner of enrollment, and in the winter of 1864 and 1865 was commissioned lieutenant-colonel of the Fiftieth Infantry. On the close of the war, and leaving the service, he returned to Monroe. In the spring of 1868 Colonel Bryant received the appointments of adjutant-general of the state and private secretary to Governor Fairchild, which offices he held until the expiration of the administration of Governor Fairchild, in January, 1872. He then reëntered upon the practice of law in partnership with W. F. Vilas, at Madison, the connection continuing to the present time. In January, 1876, he again became adjutant-general under Governor Ludington, and served two years, when he was reappointed by Governor William E. Smith, in 1878, and continued in the office until the close of Governor Smith's term in 1882, then declining further service, to devote his entire time to his law practice. He was member of the legislature of 1878, and served as chairman on the committee on revision of the statutes of the state, and subsequently assisted in the publication of the revision ordered by the legislation at the same session. He was also appointed, in connection with W. F. Vilas, to revise eighteen volumes of the supreme court reports, and reported the thirty-seventh volume himself. He is a Knight Templar. He married Louisa S. Boynton, at Monroe, on June 29, 1859, and they have four children. General Bryant came out of the war with a high record; subsequently distinguished himself in connection with his office of secretary to Governor Fairchild; is notable as a ready and racy writer for the press; has a reputation of a lawyer of the first-class, and as a citizen no one knows him but to respect and esteem him beyond the common lot of man.

J. H. CARPENTER, Madison, was born in Ashford, Windham county, Connecticut, February 14, 1822. He read law, was admitted to the bar

in March, 1847, and practiced his profession in Willimantic, Connecticut, to the time of his coming to Madison in June 1857. Besides attention to an extensive practice during his residence at Madison, Mr. Carpenter has been a professor in the law department of the State University since its organization, and for many years dean of the law faculty, continuing as such to the present time. In 1876 the faculty of the university bestowed upon Mr. Carpenter the honorary degree of LL.D.

O. M. CONOVER, Madison, reporter of the supreme court of Wisconsin, was born at Dayton, Ohio, October 8, 1825. His father was of Dutch ancestry, and his mother, Sarah Miller Conover, was a native of Kentucky. He graduated at Princeton College in 1844, after which he taught for two years, first in Kentucky, near Lexington, and then as instructor in Latin and Greek in the Dayton Academy, studying law meantime, in the office of Schenck & Conover. In the fall of 1846 he entered the Princeton Theological Seminary, and graduated from that institution in 1849. Removing to Madison, Wisconsin, in 1850, he edited and published for a short time a literary and educational monthly, entitled *The Northwestern Journal*. In 1850 he became an instructor in the State University of Wisconsin, then recently organized. The entire faculty at that time consisted of Chancellor John H. Lathrop, Professor John W. Sterling and the subject of this sketch. When the University moved into one of the buildings upon its present site, in 1852, Mr. Conover was called to the chair of ancient languages and literature, which position he occupied until 1858. If he had known that one of his pupils would be his present biographer, perhaps he would have been less severe as to the second aorist passive of Greek verbs ending in *μι*! Professor Conover was admitted to the bar of Dane county in 1859. On the appointment of P. L. Spooner, as reporter of the supreme court in 1861, he became associated with that gentleman in the preparation and publication of Wisconsin reports, beginning with volume twelve. When Mr. Spooner resigned, in the summer of 1864, he was appointed his successor. The first volume bearing Mr. Conover's name as official reporter is volume sixteen; but that was in fact prepared by S. U. Pinney, in accordance with previous arrangements. Volume forty-nine is the last that has appeared at this date. Volumes twenty-nine, thirty and thirty-seven were respec-

tively prepared and edited by James Simmons, of Geneva, Wisconsin, James L. High, of Chicago, and Edward E. Bryant, of Madison. The other volumes which have appeared during Mr. Conover's incumbency have been mainly prepared and wholly edited by himself, though he has sometimes had occasion to avail himself of the assistance of Burr W. Jones, of Madison, John B. Simmons, of Geneva, and one or two others. By these means the series has been issued with a degree of promptness somewhat rare in the reports of courts of last resort in this country. Mr. Conover's work has also been distinguished by excellent judgment, eminent clearness, and succinctness of recital, and the accurate and exhaustive character of the syllabi.

F. K. CONOVER, Madison, was born at Madison, February 17, 1857, and is the son of O. M. Conover. He graduated from the State University in the class of 1878; studied law in the office of J. H. Carpenter, and graduated from the law department of the State University; was admitted to the bar November 10, 1879, and is now located in his profession in Madison.

HERBERT W. CHYNOWETH, Madison, was born in Livingston county, New York, August 29, 1848, and came to Madison in 1855. He graduated at the State University in the class of 1868, being valedictorian. The same year he commenced reading law with E. W. Keyes; was admitted to the bar in April, 1870, and beginning practice as a member of the firm of Orton, Keyes, & Chynoweth. When Judge Orton went upon the bench in 1878 the firm became Keyes & Chynoweth. Since 1878 he has been assistant attorney-general.

PHILLIP CHEEK, JR., Baraboo, was born in Silverton, England, May 11, 1841; came to America with his parents in 1852, and to Wisconsin in May 1856, since which time he has resided in or near Baraboo. He enlisted as a private in Company A, Sixth regiment, in April 1861; was discharged for wound received at the battle of Antietam; was deputy provost marshal for Sauk county the last seventeen months of the war; was elected clerk of circuit court in 1870; was admitted to the bar in September 1876; commenced practice of his profession January 1, 1877, and is now district attorney of Sauk county.

FRANK E. CAMPBELL, Tomah, was born in Oconomowoc, Wisconsin, June 21, 1855, and was educated for the bar in the law school of the State University, from which he graduated in the class of 1878. He was admitted to practice in April, 1878, and entered upon his profession at Norwalk, in 1879. In January, 1880, he came to Tomah, has been in practice there to the present time, and has been in partnership with H. C. Spaulding, the firm being Spaulding & Campbell.

JARED COMSTOCK GREGORY, Madison, was born at the house of his father at Gregory Hill, where his grandfather had settled at a very early day, in the town of Butternuts, Otsego county, New York, January 13, 1823. Mr. Gregory was educated at Gilbertsville Academy, and pursued classical studies at Cooperstown under a private tutor; read law with Judge Charles C. Noble, of Unadilla, whose brother-in-law he subsequently became; was admitted to the bar in Cortland county, New York, in 1848. He was chosen justice of the sessions while quite young, and filled various local offices. In 1858 he removed with his family from Unadilla, New York, where he had practiced law from the time of his admission, to Madison, Wisconsin, which has since been his home. He was chosen mayor of that city in 1873; was a delegate to the democratic national convention at Cincinnati in 1880, and one of the vice presidents of that body. He was for twelve years a regent of the University of Wisconsin, and member of the executive committee of the board, voluntarily resigning in 1881, and has at all times been an active and faithful friend of that institution. On coming to Madison in 1858 he associated himself with S. U. Pinney, in the practice of the law, under the firm of Gregory & Pinney, and their partnership continued until 1879, when it was dissolved, and Mr. Gregory formed a law partnership with his younger son, Charles N. Gregory, which still continues.

HENRY HOWARTH, Mazomanie, was born in Manchester, England, September 1, 1814; came to the United States in October 1850, and on his arrival proceeded direct to Mazomanie, then called Farmersville, where he bought a homestead, and has lived on it ever since. He has been justice of the peace fifteen years; has practiced law in Mazomanie fourteen years; was deputy register of deeds at Madison ten years, commencing in 1864, and has been town clerk and school treasurer. He married Miss Eliza Turner, in England, and she died in May, 1876.

He has a son and a daughter, both unmarried, and living on his farm which they carry on, leaving the father at freedom to attend to his law business. The farm of Mr. Howarth is one mile from the village, and comprises one hundred and twenty acres.

Mr. Howarth is one of the most candid of lawyers, advises settlement of cases in preference to litigation; is a square dealing man in every respect. No man stands higher in the community in which he lives, is free and agreeable in intercourse with the world, and is exceedingly well preserved for a person of his advanced time of life.

HENRY H. HATCH, New Lisbon, was born at Mesopotamia, Trumbull county, Ohio, March 7, 1821, and his parents were Anson and Mary Hatch. His education was completed at Farmington, Trumbull county, Ohio; studied law with George M. Tuttle, in Warren, Trumbull county, Ohio, from 1842 to 1845; was admitted to the bar at Jefferson, Ashtabula county, Ohio, in 1845; commenced practice in Trumbull county with McConnell & Tuttle; afterward practiced in Johnson county, Indiana, from 1853 to 1857, when he came to Wisconsin, settled in New Lisbon, and has resided there to the present time, in the practice of his profession, until within a few years, failing health compelling his retirement from the active business of life. Mr. Hatch is a very friendly gentleman, and greatly respected.

BURR W. JONES, Madison, was born at Evansville, Wisconsin, March 9, 1846, and graduated at the State University at the end of a classical course in the class of 1870, and from the law department the next year. He read law with W. F. Vilas, and began practice in Madison in the spring of 1872. He was a partner with Judge A. L. Sanborn for two years and with A. C. Parkinson about the same length of time. In the fall of 1872 he was elected district attorney and reelected in 1874. For about two years he practiced alone, when in 1880 he entered into partnership with F. J. Lamb, which connection continues. Mr. Jones was placed in nomination by the democrats in the fall of 1879, in the Madison assembly district, and was defeated, though running several hundred votes ahead of his ticket. The records of the courts probably show that no attorney has been more actively engaged in nisi prius business in the ninth judicial circuit during the past three or four years than Mr. Jones. He has confined himself closely to his large and important

law practice, but like most lawyers has taken an interest in public affairs; in political campaigns he has responded to the call of the democratic central committee, and he has made for himself an enviable reputation as a speaker in the many public addresses which he has delivered.

ELISHA W. KEYES, Madison, was born in Northfield, Washington county, Vermont, January 23, 1828. He came to Wisconsin in June, 1837, with his father, Captain Joseph Keyes, who remained in Milwaukee until September of the same year, when he removed with his family to Lake Mills, Jefferson county, and settled there. Elisha W. attended the public school at that place, and completed his education with a short attendance at Beloit Seminary. Choosing the law for a profession, he came to Madison in December, 1850, entered upon the study of law in the office of A. L. Collins and George B. Smith, and was admitted to the bar in October 1851. Since that date he has had a law office in Madison in connection with other practitioners, but has been almost continually in active politics. In 1852 he was appointed special agent of the post-office department, to transfer balances due from postmasters to the sub-treasury at St. Louis; was elected district attorney for Dane county in 1858; was appointed postmaster at Madison in 1861, and held the office continuously until 1882; was elected the first republican mayor of Madison in 1865, and reëlected the next year without opposition; in 1871 was special attorney for the United States in the arbitration between the government and the Green Bay & Mississippi Canal company, before the United States commissioners; was a delegate to the republican national convention held at Philadelphia in 1872, as also at Cincinnati in 1876, and on each occasion was chairman of the Wisconsin delegation; was appointed in 1877 a regent at large of the State University, and reappointed in 1880 for the term of three years; was a candidate for republican nomination by the legislature of 1879, for United States senator, to succeed T. O. Howe, and during one hundred ballottings led in the contest between Judge Howe, M. H. Carpenter and himself, and then withdrawing in favor of Mr. Carpenter, who was thereupon nominated by acclamation; was again a candidate for the same office in 1881, to succeed Senator Angus Cameron, and received thirty-three votes in the caucus, but failed of a nomination, and at the same session of the legislature was an unsuccessful candidate for nomi-

nation to take the place of the unexpired term of M. H. Carpenter, in the United States Senate, and in 1881 was elected a member of the assembly by a large majority. Entering into the arena of party politics when first starting in life, his political career has been a marked and prominent one, always acting with the stalwarts of the republican party. In 1869 he was chosen chairman of the state central committee of the republican party, and acquired a national reputation by the distinguished work he performed for the republican cause. He continued at the head of this committee until 1877, when, in holding the office of postmaster, the civil service order of President Hayes compelled him to decline further service as chairman of the committee. In November, 1881, his twentieth year as postmaster ended, and he would have received the appointment for another term had not an established rule of the department forbade his appointment while holding the position of member of the assembly, and he preferred to forego the office, rather than, by resigning his membership of the legislature, disappoint the constituency, who had so generously elected him. In view of his well known ability, vigor and vigilance, it is needless, perhaps, to add, that as a legislator, he at once took a prominent, leading and influential position in the proceedings of the body of which he is, for the first time, a member. Colonel Keyes is now in the practice of law in Madison.

JOSEPH S. KEYES, Madison, was born in Madison, December 24, 1854, is the son of Elisha W. Keyes, a graduate of the Wisconsin State University, and of the University law school, of the class of 1878; studied law with Orton, Keyes & Chynoweth, in Madison; was admitted to the bar in Madison, November 11, 1879, and has been in practice with Orton, Keyes & Chynoweth in Madison.

FRANCIS J. LAMB, Madison, was born at Canandaigua, Ontario county, New York, March 2, 1825. His parents were Aaron and Alma Castle Lamb. His education was obtained in the common schools and at Canandaigua Academy. He prepared for his profession with Mark H. Sibley and Thomas M. Howell in his native place, where, after his admission at Rochester in 1855, he practiced with Edwin Hicks. After coming west he has been at various times associated in practice with William Welch, P. S. Spooner, George B. Smith and B. W. Jones in Madison. He removed to Madison in June, 1857, and has resided there ever since in the practice of his profession. He has not held office, except-

ing he was elected and served one term as superintendent of public schools of his native town and has served two terms on the board of education of Madison.

W. A. P. MORRIS, Madison, was born in Otsego county, New York, May 10, 1832. He graduated at Hamilton College at Clinton, New York, in the class of 1854, and pursued the study of law at the same institution. In 1857 he came to Madison and was admitted to practice. In 1870 he became a member of the firm of Stevens, Flower & Morris, which was afterward Stevens & Morris, and then Sloan, Stevens & Morris.

E. S. MINER, Necedah, was born in Madison, State of New York, March 20, 1818. His father was a clergyman of the Presbyterian denomination, and he came with him to Green Bay in 1828. His education was in the public schools, and he worked at farming in New York and Illinois until 1842. In 1850 he made a permanent location in Wisconsin, when he engaged in mercantile business at Grand Rapids, and was postmaster at that place until he removed to Necedah. At the latter place he has been constantly in the lumber and mercantile business with T. Weston and J. T. Kingston, and also postmaster to the present time, with the exception of two years. Having been a prominent early settler in the state he has held many offices of trust and responsibility; has been supervisor of Portage county, county judge of Adams county, justice of the peace, treasurer of Necedah fourteen years, member of the assembly two years, of the senate two years, and one of the legislative committee appointed by Governor Fairchild to visit the state institutions. In 1845 he married Miss Serena Elliot in Canada, and they have six living children.

MYRON H. ORTON, Madison, was born in Madison county, New York, in April, 1810. He attended the common schools of that and of Niagara county, and worked at several trades until he removed to Ohio, where he afterward graduated at Kenyon College. He studied law with John B. Orton, went to La Porte, Indiana, where he married; there he practiced law and represented his district in the legislature for a time. In 1849 he came to Wisconsin and pursued his profession in Milwaukee part of the time being associated with Charles E. Jenks till 1853, when



he changed his location to Madison and there continued the practice of law till his death in 1860. He was a man of great original power, fine perceptions, extensive reading, and of a most retentive and reliable memory. He excelled as an elementary and probate lawyer; was a fine speaker, popular politician of the whig and republican schools, and a powerful stump orator.

OTHO H. ORTON, Madison, was born at Valparaiso, Indiana, March 12, 1843, and was educated at the Wisconsin University and Maryland Agricultural College. He studied law with his father, Judge H. S. Orton, and graduated in the University law class of 1871. He practiced with his father in Madison until the spring of 1875, when he went to Beloit. In September, 1880, he returned to Madison and is now in practice there. While in Beloit he was city attorney one year and for four years in partnership with L. H. Parker.

S. U. PINNEY, Madison, was born in Rockdale, Crawford county, Pennsylvania, March 3, 1833. His father, Justin C. Pinney, was a native of Becket, Berkshire county, Massachusetts, and removed from there to Crawford county, Pennsylvania, in 1815. His mother's maiden name was Mary Ann Miller, a native of Crawford county, Pennsylvania, and of German descent. His father, with his family, came to Wisconsin, in 1846, and settled in what is now the town of Windsor, Dane county, but which was then a part of the town of Madison. The country was then new and sparsely settled, and the subject of this sketch having received a good common school education, found it necessary to give his attention to other subjects than books for a considerable length of time. He had, however, the advantages that some private instruction could give, and such self instruction as his leisure hours only could afford. He was, however, principally occupied in improving and cultivating his father's farm. He was tolerably well supplied with books, was a great reader, and had an excellent memory; so that whatever he gained, even in the most general or imperfect manner, he was able to retain and utilize. Commencing when about seventeen years of age, he taught district schools three winters. Having a predilection for the legal profession, he began the study of the first text-books in law, and kept it up, as well as his occupation on the farm and teaching school would permit, until April 1853, when he entered the law office of Vilas

& Remington, in Madison, as a student. From that time to the present he has devoted his time and attention exclusively to the law. In February, 1854, he was admitted to practice in both the circuit and supreme courts of the state, and afterward in the federal courts, and in May, 1854, he entered upon the active duties of his profession in Madison, in which he has been engaged ever since. He has ever been, and is still, a democrat, and has avoided rather than sought political preferment. He began his career in life single handed and alone, with no capital but his industry and such qualifications in point of learning as he had acquired for engaging in the profession, and hence he early became accustomed to rely upon himself; and self-reliance has been the source of his success. In 1858 he was attorney for the city of Madison; in 1865 he was a member of the city council, and in 1869 an unsuccessful candidate for attorney-general of the state on the democratic ticket; in April, 1874, he was elected mayor of Madison, and in November of that year was elected a member of the assembly; in 1875 was reelected mayor without opposition; in 1865 he prepared and attended to the publication of the sixteenth volume of Wisconsin supreme court reports; in 1870 he was appointed special reporter by the supreme court, to report and publish the decisions of the territorial supreme court and the first supreme court of the state, extending over a period from 1836 to June, 1853, and which are contained in the three volumes known as Pinney's Wisconsin reports. Mr. Pinney became junior member of the law firm of Vilas, Roys & Pinney, in which Judge Levi B. Vilas and Samuel H. Roys were his associates. In June, 1856, Judge Vilas retired from practice, and in April, 1857, Mr. Roys was elected county judge, which left Mr. Pinney alone in practice. In February, 1858, Mr. Pinney became a partner with J. C. Gregory, under the name of Gregory & Pinney, and in October, 1858, Chauncy Abbott became associated with them, when the firm became Abbott, Gregory & Pinney. In 1863 Mr. Abbott withdrew, and Mr. Pinney and Mr. Gregory remained partners until July, 1879, and he afterward became a member of the law firm of Pinney & Sanborn. The traits of Mr. Pinney are quick perception; a subtle power of discrimination; a sound, practical judgment and a wonderful memory. In the discussion of legal principles in the presence of the court, he is lucid in his statements, logical in his arguments and forcible in his conclusions. He speaks in court without apparent effort, in plain, simple language, going

directly to the points in the case with logical and forcible arguments, without ornament to divert the mind from the subject matter, and without obscurity to conceal it. It has been his good fortune to be employed in many cases involving large amounts of money and property. He ranks among the eminently able and successful lawyers of the West. March 3, 1856, he married, at Colesburg, Iowa, Miss Mary M. Mulliken, a native of Farmersville, Cattaraugus county, New York.

S. A. PEASE, Montello, was born in Spafford, Onondaga county, New York, February 23, 1817, and received an academic education at Auburn. He came west in 1837, and settled in Kenosha county, whence he removed to Marquette county in 1850. He was county treasurer in 1857 and 1858, and member of the assembly for four years, beginning in 1865 and ending in 1872. In 1868 he was delegate to the democratic national convention in New York, which nominated Horatio Seymour and Francis P. Blair for President and Vice-president. In 1858 he became proprietor and editor of the Marquette Express, then published at Oxford. In 1862 the publication of the paper was changed to Montello, and the name to Montello Express. It continued under his management until 1873, when he retired from the editorial field and devoted himself to his profession, which is that of the law. While a member of the legislature he served on important committees, and was active in promoting useful legislation. He was appointed by Governor Fairchild a member of the state visiting committee. He is a man of liberal views and actively interested in all measures designed to promote the public welfare. His office is a favorite resort of all classes of the community in which he lives, and is, in fact, the political and general headquarters for information for the county.

• SOLON W. PIERCE, Friendship, was born March 7, 1831, in the town of Yorkshire, Cattaraugus county, New York. He received an academic education at Mendon Academy in that state. While following the trade of steam engineering, he borrowed books and read law for three years before coming to Wisconsin in 1854. In May, 1856, he entered the law office of H. P. Brown, now of California, at Cascade, Wisconsin, and read law with him until June, 1857. In that month he was admitted to the bar by the circuit court for Adams county, and

soon after entered upon the practice at Friendship. In 1861 he was elected county judge of Adams county, which position he held until 1864, when he resigned to enter the army. Having been commissioned first lieutenant of Company K, Thirty-eighth regiment of Wisconsin infantry, he took part with that regiment in every movement, skirmish and battle in which it engaged, without a day's absence from duty. This regiment performed a glorious part in the closing battles of the war, as its list of honored dead most tearfully testifies, and with its record Mr. Pierce is incomparably identified. Mr. Pierce was elected district attorney of Adams county, in 1866; declined a renomination in 1868, but was reelected in 1870, and has since held that office. He was elected a member of the Wisconsin assembly in 1870, 1877, 1878, 1880, and 1881; served in that body, being chairman of the judiciary committee, in 1880, and again in 1881 and 1882, and also member of other important committees. Since 1861, except when absent in the army, Mr. Pierce has had editorial charge of the Adams County Press, which has grown under his management to twice its original size, and to wide circulation. In 1866 he published a book entitled *Battle Fields and Camp Fires of the Thirty-eighth Regiment*, which was a felicitous recital of the events indicated by the title.

At the last and also the present session of the legislature, Mr. Pierce has been the recognized leader of the republican side of the house, which conspicuous position he has filled with ability and acceptance. His urbanity, sound judgment and discretion have contributed to make him a useful member, esteemed by all parties. For the sessions of 1880, also of 1881 and again in 1882, friends of Mr. Pierce presented his name for republican nomination for speaker; and his fitness for the position was generally acknowledged; but the innate modesty of the man prevented him from allowing his claims pushed to that extremity which is often indispensable to success. Being yet young, he can afford to wait more propitious circumstances for merited recognition.

WILLIAM H. ROGERS, Madison, was born March 15, 1850, at Mount Morris, New York, and came to Portland, Wisconsin, in 1852. He lived upon his father's farm until eighteen years of age. After attending Marshall Academy two years he went to the State University and graduated in the class of 1875, and from the law department of the same institution the following year. He has held the office of district

attorney for one term of two years, and was a member of the common council in 1879. He is in practice in Madison with R. B. Smith. For a time A. S. Frank was in the firm, but left to go west in 1882.

RUFUS B. SMITH, Madison, was born March 1, 1846, at Colebrook, Litchfield county, Connecticut, and was a member of the class of 1870, of Yale College. He studied law at Warren, Pennsylvania, in the office of Brown & Stone, and was admitted to the bar in Warren, November 23, 1869. He came to Madison in September, 1871, and at once commenced the practice of his profession. In December, 1876, he entered into partnership with W. H. Rogers, and in January, 1878, Frank W. Hall was added to the firm. January 1, 1880, Mr. Hall retired from the firm, and the firm had been composed of Smith, Rogers and Alfred S. Frank, until the latter went west in 1882. The firm is now Smith & Rogers. From April 1878, to April 1880, Mr. Smith was city attorney of the city of Madison, and since 1873 he has been court commissioner. He was a private in Company F, Second Connecticut heavy artillery, and was wounded in the left arm at the battle of Cedar Creek, Virginia, on October 19, 1864. He was married October 13, 1869, at Warren, Pennsylvania, to Miss Mary Clemons. They have one daughter named Mary E. Smith, who was born February 6, 1872.

RICHARD SMITH, New Lisbon, was born in New York, October 1818. He obtained his literary and law education at Sudonia, and was admitted to the bar about the year 1844. Soon after his admission he came west and spent his first year in Wisconsin, traveling about the state. At the end of that time, he located in Waukesha county, and remained there during a period of ten years. He came to New Lisbon in the winter of 1857, where he has continued to reside, in the practice of law. Mr. Smith is among the earliest of the white inhabitants of Wisconsin, and may be said to have stood the brunt of western pioneer life. He has been district attorney during one term, from 1871 to 1872. While Buchanan was president he was postmaster of New Lisbon.

JOHN TURNER, Mauston, was born in Kent, England, November 3, 1828. He came to America in 1848 an officer of the Potter's emigration society, and settled on the unsurveyed Indian land, near where Portage now stands. In 1854 he removed to Mauston, where he has made a

permanent residence. Having studied law before leaving England he resumed it at Mauston, and was admitted to the bar in 1857. Besides his law practice he has served in the state legislature; twice as district attorney of the county, and has held other local offices of importance. In 1860 he became editor and proprietor of the *Mauston Star*, which paper he conducted and published until a few years since, when he disposed of it, in order to give undivided attention to his law practice, which he continued while editing and publishing it. Under his management the *Star* was the leading republican newspaper in Juneau county. Mr. Turner is closely identified with the Masonic fraternity, has served as junior and senior grand warden of the grand lodge, and has been chairman of the committee on foreign correspondence of the Knights Templar.

LEVI B. VILAS, Madison. Among the many distinguished members of the early bar of Wisconsin who have passed from earth to be succeeded by a new generation in the profession, no one was marked by stronger powers, or more characteristic virtues, in his professional and private life than the late Judge Levi B. Vilas, of Madison.

Judge Vilas was born February 25, 1811, in Sterling, Lamoille county, Vermont, a rugged section well calculated to develop the physical and intellectual strength, and the integrity, industry and ability which so impressed his character, and distinguished him in all his work in life. He was ambitious in his youth, and having received an academic education, entered upon a collegiate course of instruction, but, by too persistent and constant application to his studies, his health became impaired, and he was compelled to forego the completion of his collegiate course. After a thorough study of the law, to which he devoted himself with his usual energy and industry, he was admitted to the bar at St. Albans, Vermont, in 1833, and practiced his profession at Morristown, Johnson and Chelsea in that state, for a period of eighteen years. At the start he took a leading position at the bar, and during all this time enjoyed a large and lucrative practice, extending throughout the state. Encountering an able, learned and accomplished bar, he diligently applied himself to his work, and won and maintained a professional reputation for ability, integrity and learning of the highest order, which gave him a conspicuous place in the front rank of the most eminent members of the bar. The reports of the supreme court of that state during the period of his

practice there attest the extensiveness of his business, the varied character of the legal questions which he argued in the causes in that court in which he was engaged, and bear witness to the great ability, learning, and energy with which he presented and argued them in that tribunal, then noted and distinguished for the eminent and able jurists who filled and adorned its bench.

Judge Vilas at an early age took part in politics and was chosen to many positions of trust and honor in his native state. In 1835 he was elected from Johnson to the state constitutional convention, and represented that town in the legislature in 1836 and 1837, and in the latter year was elected by the legislature one of the state commissioners of the deaf, dumb and blind, and during the same period he held the office of judge of probate. He removed to Chelsea in 1838, and represented that town in the legislature in 1840, 1841, 1842 and 1843, during which time he served on the judiciary committee, the last year as its chairman. He was elected state senator from Orange county in 1845, and reelected in 1846, in which year he was unanimously chosen president pro tempore of the senate, although the senators of his political party were but a small minority of that body. He also held the office of judge of probate in Orange county for three years, and in 1850 represented Chelsea in the state constitutional convention. In 1844 he was the democratic candidate for congress against Jacob Collamer, and in 1848 was supported by the democrats of the legislature for United States senator against William Upham, but was defeated for these high offices, as his political party was in the minority in that state.

In 1851 Judge Vilas removed with his family to Wisconsin, and settled at Madison, where he continued to reside until his death. Here he at once took the high position as a citizen to which his abilities, experience and reputation entitled him. Having acquired a comfortable fortune he retired, in 1856, from the field of professional labor, and never again resumed the practice of law. He represented the Madison assembly district in the legislature in the years 1855, 1868 and 1873, during which time he zealously labored for the advancement of the welfare of his constituents, and faithfully represented and promoted the interests of his district, and in the last year of his service as a member of the assembly received the votes of the democratic members for speaker of the assembly. He was elected mayor of the

city of Madison in April, 1861, without opposition, and held that office for one year, in the discharge of which trust he exhibited the same qualities of firmness, independence, integrity and ability which distinguished him in the administration of every duty, public or private, which he assumed. He was appointed by Governor Salomon draft commissioner in the war for the Union in 1862, and discharged the peculiarly difficult duties of that position with such ability and impartiality as to receive the approval and commendation of all parties. He was a firm and consistent friend of the cause of liberal education, and, in a service of twelve years as a regent of the State University, ably and loyally supported and encouraged the friends of that institution, and labored diligently, persistently and effectively, during the trying times of its early life and history, to establish and maintain the university on a firm basis, and to make it what it was designed and intended to be by the act of congress granting the lands for its support and maintenance. In proof of his steadfast devotion to the university, he gave to it for instruction, discipline and training in its halls of learning, his five sons, all of whom pursued there their collegiate course, and graduated with honor to themselves and to the institution.

Judge Vilas possessed a strong physical organization, and, until a short time before his death, enjoyed robust health. His personal presence was fine and commanding. His powers of mind, naturally active and vigorous, improved and developed by thorough discipline and generous training, impelled by an ardent and almost vehement, though not impulsive temperament, and supported by a strength of will and persistency of purpose that faltered at no obstacles, and yielded to no opposition, united with a cool, clear and discriminating judgment, which led him to quickly, but carefully and considerately, examine and decide all questions which were submitted to his determination, made him a strong, able and positive man, sure and sound in his conclusions, an able, safe and successful counsellor, and in public and private life a man of great usefulness, power and influence. In all the public and private enterprises which affected the interests of the community in which he dwelt, he was foremost among their promoters and advocates, discouraged at no obstacles which to many seemed insuperable, but combating and overcoming all apparent difficulties by his sagacity, energy, industry and strength of will, which seemed to gain new force and vigor by encountering opposition, he never

rested from his work until success was extricated from apparent defeat, and the object and purpose sought to be obtained were successfully accomplished. Nor was he only liberal in his labors for the accomplishment of such purpose; he also contributed generously from his means to give success to the enterprises which he advocated, and for which he labored to advance the interests and promote the welfare of the city in which he had his home.

He was strict and punctilious in meeting and performing all his duties and obligations, public or private, and required a like degree of promptness and fidelity from others. All his dealings in the affairs of life were guided and marked by unswerving integrity and unwavering fidelity to duty, and he had little tolerance for a disregard of those principles and qualities by others. He believed that infidelity to public trust was moral treason to the state; and in his performance of the duties pertaining to a long list of important public trusts committed to his care, during a long and useful life, his fidelity, integrity, and patriotism as a citizen and public servant were so conspicuously exhibited, that they were universally conceded to be beyond question, and above the breath of suspicion.

In 1837 he was married to Esther G. Smilie, a daughter of Nathan Smilie, of Cambridge, Vermont, a lady of rare character and possessed of marked womanly power and accomplishments, whose counsel and prudent judgment, with remarkable gentleness and grace of manner, united with strength of character, greatly aided him in all his successful work.

Judge Vilas was essentially a kind-hearted man. His home was broad and generous, and he was faithful to the interests and requirements of his family, and careful and liberal in the education and training of his children, to whose proper and rational development and success he was devoted. He was kind to his neighbors, and cordial, genial and hospitable to his friends and acquaintances. He was fond of society, and in conversation entertaining and instructive. His society was attractive not only on account of the solidity of his judgment and the breadth of his information, but for his keen appreciation and remarkable power of illustration by appropriate anecdote and story. He was a careful observer of events and a keen judge of men and character, quickly and intuitively forming his judgment, and rarely failing in the correctness of his conclusions, and his opinion upon all practical ques-

tions of business in public or private concerns was always received and regarded with the greatest respect and consideration.

He was kind and sympathetic to the poor, cheerfully lending a helping hand to those whom he found worthy of assistance, and many an unfortunate poor person in the city of his residence remembers with gratitude the timely succor and encouragement afforded him by Judge Vilas when aid was necessary to success.

In his religious views Judge Vilas was intelligent, broad and liberal. He had read and carefully studied the scriptures, and few men were more familiar than he with their teachings, lessons and examples. But he read and regarded them with a broad and philosophical spirit, as sacred history, to be interpreted and understood in the light of reason and philosophy, unfettered in his judgment or appreciation of their teachings or information by any narrow view, and without an attempt to warp or bend them to fit any preconceived theory or plan. Although he was a member of no church organization, he was firm and unshaken in his belief in the existence of a Divine Creator, and showed in all the acts and dealings of his daily life his appreciation of his responsibility and duty. His religion was manifested in the morality and uprightness of his life and dealings with all men.

He died at his home in Madison on February 6, 1879, universally mourned by the community. His widow and five children survive him. The action taken after his death by the civic authorities of that city, the legislature of the state, and by the supreme court, and the private grief of his numerous warm personal friends throughout the state, attest the high regard in which he was held by them during life, and their keen appreciation of the loss sustained by his sudden and premature death. His remains were interred in Forest Hill Cemetery near Madison, the scene of the labors of his latter life.

WILLIAM FREEMAN VILAS was born in Chelsea, Orange county, Vermont, July 9, 1840. He was a lad of about eleven when his father, Judge L. B. Vilas, came west with his family, to make his home at Madison. The subject of this sketch early entered the University of Wisconsin, whence he graduated with the highest honors of his class in 1858, at the age of eighteen. His collegiate career gave promise of that brilliant future which his maturer years have realized, and his instructors and companions at that time did not fail to recognize in the zealous,

earnest and industrious young student, the qualities which have since contributed to his success. Immediately upon graduation he went to the Albany Law School, where for two years he diligently and intelligently pursued the studies of the profession he had chosen. He took his diploma at that institution in 1860, and returning to Madison where he entered upon the practice of law as a partner of E. Wakeley, now of Omaha, Nebraska, and one of the recognized leaders of the bar of that state. Under such favorable auspices, thoroughly trained and equipped for the struggle, and imbued with an ardent love for his profession the young lawyer's progress was rapid and satisfactory. He speedily established himself in the esteem of his brethren on the bench and at the bar, and readily gained the confidence and good will of clients. He had, however, only just entered upon his career when the civil war broke out. We can well believe it cost him a struggle to abandon his profession and the alluring prospects of success in it which a just ambition held out to him. No unworthier sentiment could have caused him to hesitate, nor could that long control his conduct. He was commissioned captain, raised a company and went out at the head of it in the Twenty-third Wisconsin in 1862. With this regiment he participated in the campaign before Vicksburg, was present throughout the long siege, and at the surrender of that redoubtable stronghold of the rebellion, and in many of the most hotly contested battles of our western armies.

He was promoted to major and afterward lieutenant-colonel, acting as colonel and commanding his regiment. He resigned after a period of very hard and active service and returned to Madison, where he resumed and has since continued the practice of his profession. Unlike many who returned from the stirring scenes of camp and field to the duties of civil life, he seemed to begin where he left off when he entered the army, and in the same line of progressive development he pressed zealously forward in his professional career. He could not, in a profession where, more perhaps than in any other calling, a man finds that position which he is entitled to hold, fail of success, because he earned and deserved it. Whatever he had to do he did thoroughly and well, relying not merely nor mainly upon his undoubted natural talents, but never failing in diligent, intelligent and systematic preparation. He early formed habits of industry, without which all professional success, however brilliant it may seem, must be illusive and disappointing. He was married in 1866, and soon after established his beautiful home amid

a grove of noble oaks a short distance from the city, where he could enjoy his evenings in the seclusion of his library, undisturbed by anxious clients or the numerous distractions of town life. There for years he has habitually devoted his evenings until a late hour of the night to study and reading, mainly in the line of his profession; for no lawyer ever more fully realized the necessity for Coke's saying: "a passion for nocturnal study." Yet, notwithstanding the engrossing character of his professional studies, he has found time to wander into the domain of general literature, history, politics, science, poetry, belles-lettres, and the higher class of fiction, and in such fields to accomplish what would be for an ordinary man an immense amount of labor.

Such was the result of the excellent use made by him of all his opportunities, his natural gifts, his courage and aptitude for legal controversy and his sound business sense and quick perceptions, that it is not too much to say that at the age of thirty he was the peer of any member of the then brilliant bar at the capital of the state. This early success neither tempted him to forego his efforts for further triumphs nor filled the measure of his ambition. He rather redoubled his exertions, nor did he thus seem to tax, but rather to call forth, his powers. In every line of professional labor—in the office, at the pleader's desk, in the nisi prius court room, before the courts of last resort in equity, in law or in bankruptcy matters, he was instant, zealous, bold, untiring and generally successful. In his arguments in court he is more intent upon impressing the jury with his views of the case than with his ability as a talker, and in consequence seldom fails of convincing them. His clientage, which was considerable at an early period of his professional career, has constantly increased until now he has such a flood of important business, and such constant demands upon his time and attention, as commonly attend only upon the most successful practitioners in our great commercial cities. He is now, and for some time has been, under general retainer from the Chicago & Northwestern Railway Company, and transacts all their law business in the State of Wisconsin in addition to carrying on his large general practice. He is now professor of pleading, practice and evidence in the law department of the State University, one of the trustees of the State Orphan Asylum, and was one of the three commissioners appointed by the supreme court to revise the statutes under an act of the legislature passed in 1875. The present revision is the work of those commissioners. In 1881 he was appointed

a member of the board of regents of the State University, a position which he still holds. He is essentially a man of the people, open, affable and genial in manner, making friends readily with people of all classes in life, of broad and liberal views on all subjects, and opposed to everything in legislation or politics that is oppressive or undemocratic, or that seeks to foster the interest of any class or monopoly at the expense of the general public.

Politically Colonel Vilas has been all his life a steadfast democrat, though in these latter days it has been doubtless hard for a man of his earnest and deep seated convictions, on political as well as other subjects, to listen with any patience to all the wild and undemocratic theories which certain so called leaders of the party have promulgated as the true gospel of democracy, the chief merit claimed for them being their vote catching capacity. His devotion to his profession as well as his own tastes and inclinations have prevented him from participating in the struggle for office, and has always persistently declined nomination, notably when in 1879 he refused to accept the democratic nomination for governor of the state. He was a delegate from the state at large to the democratic national convention in 1880, has sat in other conventions of the party, and frequently participated in its campaigns. Taken all in all, as a lawyer his is a singularly well-rounded character. But it is not merely within the profession and as a lawyer that Colonel Vilas has made and earned a wide reputation. Within the last few years his reputation as an orator has extended rapidly beyond the circle of his immediate hearers, until it may now be justly termed national. It is impossible within the limit of this article to give any account of all his great oratorical efforts, whether forensic or otherwise. He has delivered a considerable number of addresses, political and general, all of which are marked by deep thought, wide reading and scholarly and elegant diction. Among the notable public addresses of Colonel Vilas, his greatest effort was at the reunion of the army of the Tennessee, at Chicago, in December, 1879, in response to a toast to General Grant, who was present. His was the great speech of the occasion. The orator had a more critical and distinguished audience before him than had ever greeted Demosthenes or Cicero. Among the brilliant addresses then made, it was conceded that Colonel Vilas excelled them all, and obtained for him a national reputation, which his subsequent oratorical efforts have fully sustained. He is associated in business at

Madison with General E. E. Bryant and Edward P. Vilas (a younger brother), both of whom are able and accomplished lawyers, whose assistance is indispensable to conducting the very extensive law business in which the firm is engaged.

EDWARD P. VILAS, Madison, was born in Madison, November 6, 1852, and is a son of Judge Levi P. Vilas. He graduated in the classical course of the State University in 1872, and the law department in 1875, was admitted to the bar at the same time, and has since practiced law in all the courts of the state as a member of the firm of Vilas & Bryant, of Madison, W. F. Vilas and E. E. Bryant being the other members of the firm. Mr. Vilas married a daughter of General David Atwood, of Madison, on November 9, 1877, and they have one child.

WILLIAM WELCH, Madison, was born November 12, 1821, in the town of Lorraine, Jefferson county, New York. He had simply such education as the district schools in central New York in those days offered, and it was completed when he had reached the age of fifteen years. He then went to Watertown, the county seat of the same county, and was apprenticed in a printing office. Having learned the trade of a printer, in 1840 he became associated with a Mr. R. S. Hunt in the publication of the *Carthagenian*, a weekly newspaper at Carthage, also in the same county. The enterprise was an unsuccessful one and was abandoned after a few months. He then returned to Watertown, where he purchased of his former employer the newspaper in the office of which he had learned his trade--the *Watertown Register*. In 1843 he formed a partnership with Joel Green in the publication of the *Black River Journal*. This business connection lasted less than a year, when the partnership was dissolved. The office owned by the partners was destroyed by fire not long afterward, and furnished Mr. Welch a subject for a sketch written in his later years, which was one of the most brilliant and characteristic of his miscellaneous articles. The notes given by Green to Mr. Welch in payment of his interest in the press were deposited with a neighboring lawyer for collection, and were burned with the lawyer's office in the same conflagration.

In October, 1844, Mr. Welch came to the west, settling at Rockford, Illinois. He had read law at odd spells, with a constant design to adopt it ultimately as his profession. In Rockford he formed a law partner-

ship, which did not, however, long continue, and in 1845 he went to Springfield, Illinois, where he worked again at his trade in the state printing office. He afterward went to St. Louis, where he worked as compositor on the Missouri Republican, but being taken ill of chills and fever he returned to Rockford.

In 1845 he came to Wisconsin on a visit, and with his brother-in-law, Chester Bushnell, he purchased the old Madison hotel, located on the south side of King street, adjoining the present site of Dean's block in Madison. He continued in the hotel business until 1849, when he formed a law partnership with Julius T. Clark, and he has since that time devoted himself with industry, zeal and success to the continuous practice of this profession. His law partners after Mr. Clark were F. J. Lamb, B. P. Kissam and Sinclair W. Botkin, the latter a son of the late Colonel Alexander Botkin. The law firm of Welsh & Botkin was formed years ago, and its business has been very extensive in all departments of practice, the partners being the warmest of friends as well as business associates, and possessing each other's unqualified esteem and confidence.

Mr. Welsh is a good lawyer in all the details of ordinary practice. He is well grounded in the common law and is skilled in practice. He is a remarkable advocate and jury lawyer, and is adroit, fertile in resources, and possesses great power in the trial of causes. He prepares cases with great care; he recognizes with unerring sagacity their strong points, and he never trifles with his legitimate advantages in a suit for purposes of professional display. He makes success in his cases the one object before him, and he uses all the proper means at his command for that end alone; an accurate and quick judge of human nature, he knows the effect of evidence and argument on juries, and he seldom or never misapplies facts or logic so that their force is lost or impaired. Many of his arguments have been of great power; with a copious diction, with great acuteness as a reasoner, and with unfailing tact in stating his points to the common apprehension of jurors, he convinces and moulds the judgments of those to whom his arguments are addressed. To this array of useful faculties he adds at times marked effects in oratory; he has command of an earnest and sustained style of eloquence; his wit and sarcasm are of the most brilliant description, and he can, when occasion requires, hurl the fiercest denunciation at a bad cause, an unsound principle or an obnoxious opponent. One of the happiest epi-

sodes in forensic oratory occurred many years ago in a trial in the circuit court at Madison, in Mr. Welch's address to the jury. It appeared that the opposing counsel and party were both named Smith, and it was claimed that both had some claims to an ancestry traced to Captain John Smith, the founder of Virginia. In reaching this part of the argument Mr. Welch said:

"Why, gentlemen of the jury, if it be true, as claimed by this Smith, the attorney, and this Smith, the client, that they are lineal descendants of the famous John Smith, of Virginia, Pocahontas, that virgin queen of the forest, committed a grievous sin to this age and to this generation in staying the uplifted war club of her savage father."

The following extract, from a patriotic address by Mr. Welch at Dodgeville in 1875, is a favorable specimen of his more sustained style of eloquence, and having been once published, through an innocent imposition, as an extract from an early speech by Daniel Webster, had an extensive currency through the press as such:

"Twenty-seven years more and a century shall witness a grand anniversary. Many here this day will participate in the demonstration to be born on the 4th day of July, 1876. It will be a proud day. The constellations, robed in the azure light of sixty centuries, will attend the morning's first rays. The great luminary of day will rise in the east saluted by the roar of ten thousand times ten thousand cannon. Our flag, combining ethereal blue with the red and white, will wave a greeting to the morning stars as they retire to the chambers of the Almighty and veil their forms from mortal vision. The people will gather together to rejoice and to celebrate with their whole hearts. The Declaration of Independence will be read with the fervor and with the patriotism with which it was read in 1776. Orators will burn with the eloquence of John Adams; the fife and the drum will play our national anthem with martial ardor; bands of music will swell the chorus of the Star Spangled Banner, and Hail Columbia will vibrate upon the swell of each passing breeze. With a national salute to the sun as he sinks from view behind the golden waves of the Pacific, bonfires will illuminate the heavens, rockets will scream through the air, and general joy will witness the close of the pageant. Heaven will look down approvingly, for this people will never forget that in the hollow of his hand is the destiny of nations."

The following paragraph consists of reflections caused by the re-

moval of the Madison post-office into the government building of that city, on its completion, the last of its many changes from place to place, in 1871 :

"It would be vain to contemplate how many and various fortunes it has carried with it in its wanderings—what expectations and fears have waited on its outgoings and incomings, how many smiles it has brought to happy faces, of how many tears it has been the fountain, during its vagabond existence. The missives that have come and gone through its portals have been laden with every human care and affection, with the grief of mourners and the joys of triumph, with the delights of love and the sickness of hope deferred, with all that there is bright and all that there is dark in human vicissitudes."

Mr. Welch has advocated some novel and startling political theories. He has argued with great force and eloquence that state lines should be abolished, and for the consolidation of all the elements of our political system into "one executive, one legislature, one court, one code of laws, one currency and one country." He is also the author of a theory of suffrage which shall give the voter one ballot at the age of twenty-one, two ballots at the age of forty-two, and three ballots at the age of sixty-three, by which the conservative spirit which grows with the years of man shall have increased power in government over the unripe enthusiasm of youth and adolescence. His early politics were those of the constitutional whigs; he has acted with the republican party and as an independent since the whig party dissolved. He twice represented the ward in which he lived in the common council of Madison, and was repeatedly a candidate for other offices, but at such times and under such circumstances as made success impossible, notwithstanding his acknowledged personal popularity. He was the founder and first president of the Wisconsin Fish Commission, which he organized and placed in successful operation.

Mr. Welch removed with his family to Minneapolis May 1, 1882. He was accompanied by Colonel Botkin, his law partner, and the firm is now in successful practice in that city. He was married in 1850 to Jane W. Petherick, daughter of the late William Petherick, and has four children. The eldest, Victor J. Welch, is associated with him in his law practice. The second, William P. Welch, though but eighteen years of age, is a promising journalist, residing at Eau Claire, Wisconsin. The third is a daughter, the youngest is a son.

He was one of the charter members of Hope Lodge, No. 17, I.O.O.F., and was the senior master mason in Madison, as he was the senior in practice at the bar at the time of his removal from that city.

Mr. Welch's literary ability is of a high order, and he has been a multifarious reader in every department of English literature. He has, notably, a bright mind, quick, alert, with strong perceptive faculties, and yet a wide grasp of thought and solidity of understanding. With some acerbity and erratic traits of temper, he is a good neighbor and a public spirited citizen; he is an entertaining companion; the warmth and sincerity of his friendship are a strong characteristic, and he is extremely lovable in the social and domestic circle.

NELSON W. WHEELER, Baraboo, was born at Sturbridge, Worcester county, Massachusetts, June 29, 1828; came to Wisconsin in May 1841; received an academic education at Beloit; entered the law office of J. M. Keep as a student in 1848, where he remained two years, then entered the law office of Machin & Finch at Monroe, where he remained until the spring of 1851, at which time he was admitted to the bar, and entered upon the practice of law, which he continued at Monroe until 1873, when he removed to Chippewa Falls, where he resumed the practice of his profession, and came to Baraboo in 1881. He held the office of district attorney eight years, as also some minor offices. It is not saying too much to denominate Mr. Wheeler an original character. His witty speeches at meetings of the bar and at bar banquets are the life of the occasion. His pioneer experience as practitioner is rich with reminiscences, and his inimitable manner of relating them is particularly racy and entertaining, his off-hand utterances having the merit always of good sound sense. Without the presence of Mr. Wheeler the annual session of the State Bar Association at Madison would not be much of a meeting. He is, moreover, sound in every respect as a man and as a lawyer, and is universally respected.

A. C. WILKINSON, New Lisbon, was born at Wibsey, near Bradford, Yorkshire, England, July 16, 1853, and came to America when four years old, which was in 1857, the family locating in Sauk county, where he acquired his education by self-instruction. His law studies were had with his brother at Mauston; was admitted to the bar in 1877; commenced practice at New Lisbon in the spring of 1877, immediately after

his admission, and has continued to reside there. He has held some local offices in the village, among which was that of supervisor. In his youth he worked on a farm until eighteen years of age, after which he was employed on a railroad four years. Mr. Wilkinson is alone in his law practice.

H. A. LEWIS, Madison, was born in New Haven, Vermont, July 25, 1837; came to Wisconsin in 1852; was in the classical course of the State University two years; in the army in Company D, Fortieth infantry, hundred day men; clerk of circuit court in Dane county four years; business manager of the State Journal seven years; had studied law, and was admitted to the bar in 1868, and is now in practice with his cousin, H. M. Lewis.

TENTH CIRCUIT.

DAVID AGRY, Green Bay. Thomas Agry, of Barnstable, Massachusetts, was the earliest ancestor of the Agry family of whom we have any record. He was a shipwright by trade, and built many sea-going vessels, at Agry's Point, near Pittston, Maine, at which place he settled before 1770. His youngest son, John, the father of the subject of this sketch, was born in Barnstable, Massachusetts, April 7, 1763, and married Elizabeth Reed, of Boothbay, Maine, (a sister of Colonel Andrew Reed, of Phippsburgh, Maine, who commanded a regiment of militia on duty at the mouth of Kennebec river in the war of 1812.) August 13, 1793, removed from Pittston to Hallowell in 1801, and died in 1848. David Agry was born in Pittston, August 2, 1794, had a collegiate education, graduating at Dartmouth College in 1815; then studied law for a profession; was admitted to the bar, and practiced several years in Bangor, Maine. When about thirty years of age he went to Louisiana, and after a sojourn of some time in New Orleans, he finally opened an office at Shreveport, where he resided for a number of years. He subsequently returned to the north, and was located for a time in New York city. He there made the acquaintance of Mr. Joseph Rolette, of Prairie du Chien, a relative of Mrs. H. S. Baird, of Green Bay, by whose favorable representations he was led to think of the latter place for a location, and finally landed there from a Buffalo steamer in the month of September 1840. For the first year he practiced with Mr. Morgan L. Martin, but in the following year opened an office in com-

pany with J. S. Fisk. In 1842 he was elected a member of the territorial house of representatives, and reëlected the succeeding year. In 1850 he was elected county judge of Brown county, which position he held until the time of his death, January 30, 1877. He was elected a member of the first constitutional convention in 1846, from the county of Brown, served in that body as chairman of the committee on the powers, duties and restrictions of the legislature, and was also a member of the committee on the executive of the state. His services throughout the session were in the highest degree important, dignified and conscientious, and he ranked as a peer among the most distinguished men of that body. His abilities were of the highest order, finely cultivated, in knowledge profound, and all his acts marked with the force of personal conviction and innate honesty. He was a lawyer of superior erudition, an assiduous reader of general literature, and, before age and extreme deafness had obscured his powers, there was no man in the community where he lived who could yield a richer fund of intellectual entertainment for a social circle. It was said of a famous Englishman that "though not a man to be loved, yet he was eminently a man to be trusted." Judge Agry was eminently a man to be trusted and loved. Though never married, he seemed peculiarly domestic in his tastes and feelings, and always entered with hearty zest into the joys, and cherished a tender sympathy with all the sorrows of the family circles where he was an honored and pleasing guest.

LYMAN BARNES, Appleton, was a native of Waupaca county, and was born June 30, 1855. He removed to Oshkosh when he was quite young, and there he obtained his education. He began the study of law with E. P. Finch, Oshkosh, and afterward went to Columbia Law School, graduating in the class of 1876. He was admitted to the Wisconsin bar July, 1876, came to Appleton the following year, has since practiced his profession there, and is now a partner of J. Goodland.

JOHN BOTTENSEK, Appleton, is a native of Waterville, Waukesha county, and was born January 4, 1850. When five years of age his home was changed from Waukesha to Outagamie county. He was educated at Lawrence University, Appleton, finishing his course at that institution in 1872. He subsequently entered the law department of

the State University, and graduated in the class of 1875, at the same time being admitted to practice at the Wisconsin bar. Two years afterward he opened an office at Appleton, forming a law partnership with J. E. Harriman, which continued to September 1, 1880, and since then has been in the firm of Sloan & Bottensek. Mr. Bottensek was elected alderman of Appleton in 1878 and 1881.

THEODORE G. CASE, Green Bay, was born in Castleton, Rensselaer county, New York, July 13, 1853, his father being Mr. Timothy Case, vice president and general superintendent of the Green Bay, Winona & St. Paul railroad. Mr. Case was prepared for college at the Collegiate College, Newton, New Jersey, after which he entered the University of Michigan, took a special course, and graduated at the institution in July, 1870, having conferred upon him the degree of pharmaceutical chemist. Upon his graduation from college he became interested with several New York capitalists, and was, by them, sent with others to construct the Houston & Great Northern railroad of Texas, in which employment he was engaged until 1873, when he returned to New York city. In the fall of the same year he commenced the study of law with Linn & Babbitt at Jersey City, New Jersey. His preceptors are eminent members of the bar, and, at that time, were counsel for several large railway corporations, and for the notable Hudson River Tunnel Company. Remaining with this firm two years he then entered the law school of the University of the city of New York to complete his law studies. The regular course of this school is two college years, of nine months each, and Mr. Case has the credit of having accomplished a graduation at the end of the first year of nine months, and at the same time he was a student in the office of William M. Evarts. At the time of his graduation with the degree of Bachelor of Laws, in June, 1876, he was delegated by the faculty of the college to deliver an address at the commencement exercises held in the Academy of Music, with a crowded house, his subject being *The Lawyer and Public Opinions*. Immediately afterward he engaged in general practice in New York city, but making a specialty of corporation business. Remaining in that city until April, 1878, he came to Green Bay to enter upon the duties of general counsel of the Green Bay & Minnesota Railroad Company to which position he had accepted an appointment, and is still acting in that capacity. Upon the reorganization of the above named railroad

company into the Green Bay, Winona & St. Paul, he was elected, on June 7, 1881, general attorney of the new company, which office he now holds. During the time he has been in this state he has acted as counsel for the Lackawana Iron company, having charge of the business of the company concerning municipal bonds in Wisconsin, and has also acted as associate counsel for The Farmers Loan & Trust Company, of New York, in the foreclosure of the Green Bay & Minnesota railroad. Since January, 1881, Mr. Case has been engaged in cases of large import, involving amounts aggregating over one million of dollars, and has been uniformly successful in the management of the litigation connected therewith. The numerous suits at law in which the railroad company he represents has been involved the past year or two, have been as intricate as they have been important, yet Mr. Case has succeeded in fully protecting and securing the rights of that corporation, by his tact and ability.

ORLANDO E. CLARK, Appleton, was born in the town of Darien, New York, November 9, 1850, and was educated at East Pembroke and Leroy academies, and Rochester University. He entered the university in the fall of 1872, and graduated in 1876. The same year he entered the law office of Myron H. Peck, of Batavia, New York, where he remained till November 1877, when he removed to Appleton, Wisconsin, where he entered the office of Warner & Ryan, and was admitted to the bar at Green Bay, February 1, following. He remained with Warner & Ryan till September 1878, when he opened an office for himself. He was admitted to the supreme court at Madison May 12, 1880.

GEORGE C. DICKINSON, Shawano, was born in Rock county, Wisconsin, September 5, 1848. After completing his education at Milton College, he studied law with Warner & Ryan at Appleton, and was admitted to the bar at the same place in June 1874. He commenced practice in Appleton in 1879, where he continued alone until February, 1881, when he moved to Shawano, and formed a partnership with E. P. Perry, where he is now in practice.

E. HOLMES ELLIS, Green Bay, was born at Green Bay, August 26, 1826, and enjoyed only such educational advantages as were afforded by the common school and intelligent teaching in his father's family.



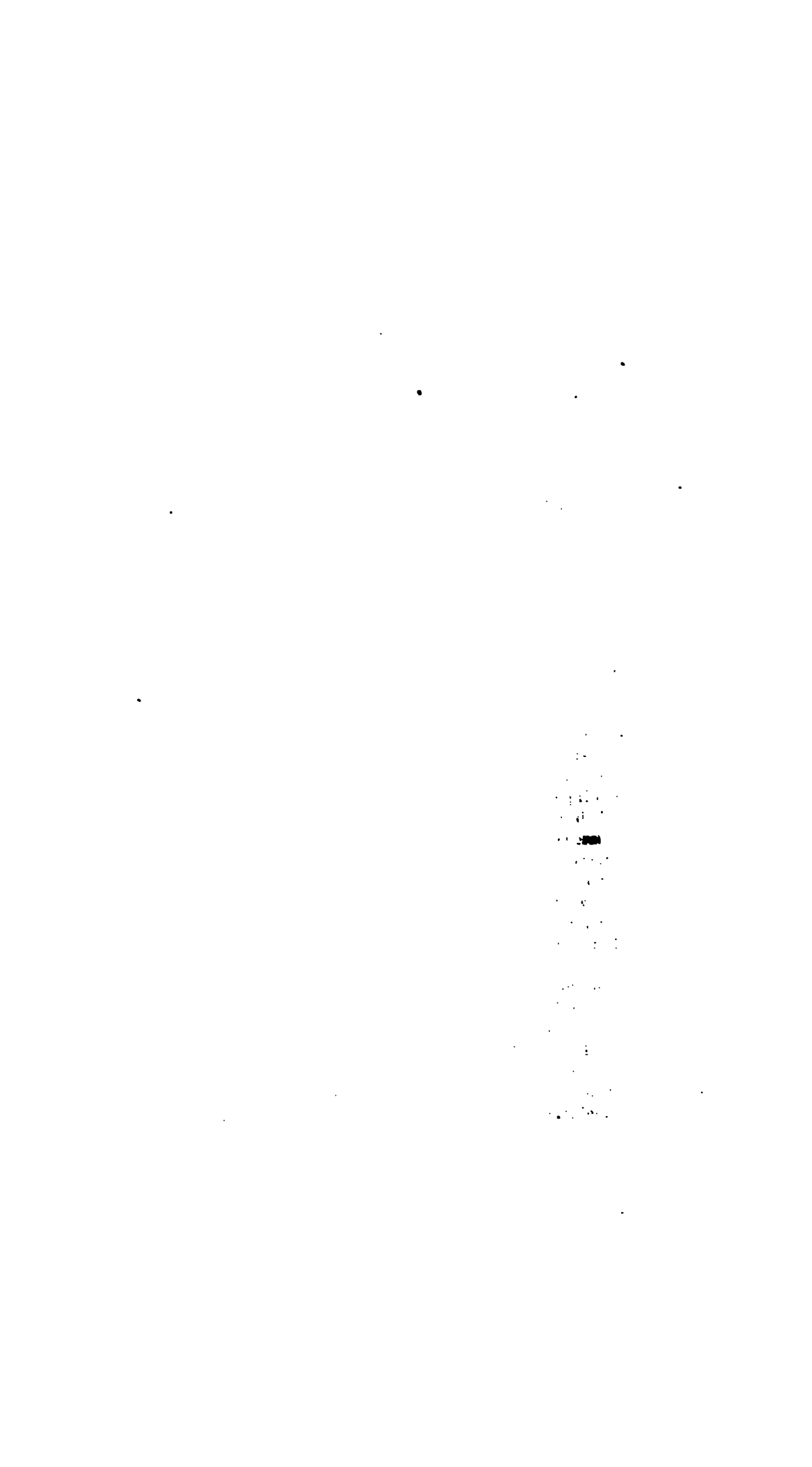
At a proper age he entered the law office of H. S. Baird, and prosecuted his law studies with such diligence, that at the age of twenty-one years he was admitted to practice in the territorial courts. In November, 1847, he opened an office at Manitowoc Rapids, then a small village, where he continued to practice until 1851, when he sought a larger field by removing to Green Bay, and has, since that time, made it his home. In partnership, at different times, with W. J. Green, H. J. Fenbee, S. D. Hastings, Jr., George G. Green, and W. H. Norris, he has continued to hold a high rank in his profession, and from 1871 to 1879 occupied the position of circuit judge. His eight years' service on the bench was eminently successful and satisfactory to the people of his circuit and to the bar; but declining health and the meager compensation allowed for the service compelled his resignation. Judge Ellis, though never a politician, has ever held very pronounced views upon the political questions which have agitated the country for the past twenty years. He has often been called upon to serve in public office, but never as a partisan, having been district attorney and clerk of supervisors of Manitowoc, alderman and mayor of the city of Green Bay, and registrar of deeds of Brown county. His retirement from the bench of the circuit court was deeply regretted by his constituents, not, however, without the hope, and perhaps expectation, that he would be elevated to a higher position. The public service of Judge Ellis and his unimpeachable private character have won for him the confidence and respect of his fellow citizens of all parties. Judge Ellis is a son of the venerable Albert G. Ellis, for many years a resident and prominent and highly respected citizen of Stevens Point.

HIRAM ORLANDO FAIRCHILD, Marinette, the subject of this sketch is associated in the practice of the law with an older brother, John B. Fairchild, under the firm of Fairchild & Fairchild. Mr. Fairchild is a native of the State of Indiana, having been born in that state at Newtown, Fountain county, August 14, 1845. He spent his youth in his native state, and continued to reside there until 1866, when he went to Fort Kearney, Nebraska, to represent the business interests of the late Judge Levi Hubbell, of Milwaukee, in the firm of Beale, La Fevre & Company. The late ex-lieutenant-governor Beale, of this state was also a member of this firm. Mr. Fairchild remained in Nebraska until the spring of 1867, when he removed to Wisconsin. He prepared himself

for college in the high school at Wabash, Indiana, and entered Wabash College, which is situated at Crawfordsville, Indiana, in the fall of 1861. Here he continued with an intermission of one year, which he spent in the mercantile business at Danville, Illinois, until the summer of 1866, when he graduated in the classical course, receiving the degree of Bachelor of Arts. Three years later his Alma Mater conferred upon him the degree of Master of Arts. Having studied law during the years 1868 and 1869 in the law office of his brother, who then resided at Oconto, he was admitted to the bar in May, 1870, and located at Marinette, where he has ever since been actively engaged in the practice of the law. Upon the organization of Marinette county, in 1879, he was appointed, by Governor Smith, district attorney of that county, to which office he has since been twice elected by the people. During his term of office as district attorney he has prosecuted several important criminal cases; notably among them is that of the state against Charles E. Crocket, who was charged with the murder of John Kelley, in October 1879. This case became quite a noted one. It was removed, by a change of venue, to Fond du Lac county, where Crocket was tried in the spring of 1880, and, although defended by such eminent criminal lawyers as E. S. Bragg and C. W. and W. B. Felker, was convicted of manslaughter, and sentenced to the state prison for five years. The case was afterward removed by writ of error to the supreme court of the state, when, to the already great array of counsel for the prisoner, T. R. Hudd, of Green Bay was added. Mr. Fairchild followed the case to the supreme court, and at the request of the attorney-general made the argument in behalf of the state. The judgment of the lower court was affirmed. In the conduct of this case, from the beginning to the ending, Mr. Fairchild was alone, and the energy and ability with which he presented it made him a wide reputation in the state as a criminal lawyer. As everything connected with the life and ancestry of the late President Garfield is of peculiar interest to the public, it may not be amiss to say that the genealogy of Mr. Fairchild's family and that of General Garfield may be traced back to a common ancestry, that of Joshua Bigelow, who died at Watertown, Massachusetts, in 1745. Joshua Bigelow had two children: a son, Eliezer, and a daughter, Mercy. The daughter married Thomas Garfield, Jr. A son, Solomon Garfield, was born of this marriage. Solomon Garfield grew up, was married and had a son, Abraham Garfield, who was the father of James A. Garfield. Eliezer



A. O. Fairchild.



Bigelow, the son of Joshua Bigelow, was married and had a son, Jabez Bigelow, who in turn had a son Reuben. The son, Reuben, was married and had a daughter, Laura, who married John Fairchild in 1835. Of this union the subject of this sketch was born.

JOHN GOODLAND, Appleton, who is not a native of America, came to the United States before he had reached his twenty-first year. He was born in Somersetshire, England, August 10, 1831. He first landed in his new country in 1849, and settled in Wisconsin in 1854. His education was completed before he had left England. Mr. Goodland read law at Appleton, and was admitted to the bar of the circuit court January 5, 1877; to the supreme court of the state, March 12, 1878, and to the United States circuit court, July 9, 1878. He is in practice in Appleton, in partnership with Lyman Barnes.

GEORGE G. GREENE, Green Bay, was born in Herkimer county, New York, November 18, 1844, and came to Wisconsin when two years of age. His education was obtained in this state. He studied law with E. W. Keyes in Madison, and was graduated from the Columbia law school in New York, in 1868. He began practice at Green Bay in 1870, as a member of the firm of Ellis, Hastings & Green. Judge Ellis was elected to the bench in 1871, and the firm has since been Hastings & Green.

SAMUEL D. HASTINGS, JR., Green Bay, was born in Philadelphia, June 19, 1841, and came with his parents to Walworth county, Wisconsin, in 1845. His father subsequently became a resident of Madison, where he was state treasurer four terms of two years each. The young Mr. Hastings graduated at Beloit College in 1863, and from the Albany, New York, law school in 1865. His preparatory study of the law had been with Abbott & Hutchinson at Madison. Having been admitted to the bar in due course, his practice was entered upon at Madison in partnership with E. W. Keyes in 1865, and continued the connection until 1867, when Mr. Hastings changed his field of business and residence to Green Bay, where he formed a partnership with E. H. Ellis, subsequently adding G. G. Greene to the firm, making it Ellis, Hastings & Greene, and when Mr. Ellis went upon the bench of the circuit court the firm became Hastings & Greene, which now continues. Prior

to 1878 the supreme court was composed of one chief justice and two associate justices. During that year an amendment to the state constitution took effect, increasing the number of associate justices to four. It was mutually agreed that there should be no political contest over the positions, but that a democrat and a republican should be supported. Mr. Hastings received strong support from the bar and the press of this and adjoining circuits as the republican representative. But the matter was finally settled by the different parties in the legislature, which was in session at the time, making the nominations. In 1880, by the death of Chief Justice Ryan, a vacancy occurred in that office, and in the expectation that Judge Cole would be elevated to that position, Mr. Hastings was strongly supported by his professional brethren of all shades of politics to fill the vacancy that would be left in that contingency, but the choice fell upon another portion of the state. No one who knows Mr. Hastings doubts for a moment his eminent qualifications to fill the position with usefulness and honor.

JOSEPH E. HARRIMAN, Appleton, was born at Louisville, St. Lawrence county, New York, August 16, 1834, and came to Wisconsin in May, 1852. He resided in Walworth county during 1852 and 1853, attended Milton College in 1854 and 1855, and settled in Appleton in 1856, where he still resides. In 1856 and 1857 he was a diligent student at Lawrence University. He studied law with Jewett & Hudd in Appleton in 1858 and 1859; with the late Judge Cotton, of Green Bay, i. 1868, and was admitted to the bar. He has held many positions of honor and trust, and in 1873 was elected county judge for Outagamie county for a term of four years; reëlected in 1877 and again in 1881, and, although the county is largely democratic, was elected by increased majorities each time. In politics he is a liberal republican.

THOMAS R. HUDD, Green Bay, was a native of New York state, having been born in the city of Buffalo, October 1, 1835. His parents were Richard and Mary Harrison Hudd. The father was an ornamental painter and designer; was a man of decided character, and took especial care in the training of this his only child, giving him all the advantages that his means could afford. Dying when his son was yet young, the widowed mother moved to Chicago, Illinois, taking her son with her when he was seven years of age. In the public and select schools of





Thos. R. Hensel



that city he received his early education. He then worked three years in the printing offices of the Evening Journal and the Western Citizen, Chicago, in order to earn money to enable him to complete his higher studies. With the money thus earned he attended the Lawrence University, at Appleton, Wisconsin, working in the meanwhile in the office of the Crescent. On closing his course at this school, he commenced the study of law, and, in due time, was admitted to the bar of all the state courts in 1856. Immediately entering into practice in Appleton, he continued it twelve years with excellent success. In 1868 he changed his business to Green Bay, where he has resided in active and extensive practice to the present time. He has been admitted to the United States supreme court, and has a large federal practice. Mr. J. H. H. Wigman became his law partner in 1864, the firm now being Hudd & Wigman. Mr. Hudd has not been permitted to confine his labors to his professional business by his fellow citizens, but has been called upon to serve the public in various capacities. While living at Appleton he represented that district in the state senate for the sessions of 1862 and 1863, and in the assembly in 1868. After moving to Green Bay he was elected city attorney in 1873; was elected member of the assembly in 1875; was senator at the sessions of 1876 and 1877; again in 1878 and 1879, and was reelected in 1881. Mr. Hudd married, June 7, 1857, Miss Parthenia S. Peak, who died September 24, 1870, leaving two sons and three daughters; and October 2, 1872, he married Mary Kill, by whom he has four daughters.

Senator Hudd is a prominent member of the democratic party, with which he has always been identified, yet has been so conservative and fair as to command the esteem of all parties, and is uncommonly free from personal enemies. In every public station that he has been called to occupy he has fulfilled the duties of it with honor to himself and satisfaction of his constituents. He has been equally successful in professional life. Frank, open, friendly, true, and with an attractive presence, few men have more well wishers than Senator Hudd.

GEORGE C. JONES, Appleton, was born in the town of Barry, near the city of Albion, in the county of Orleans, in the State of New York, October 1, 1820. His parents removed to the county of Oakland, in the State of Michigan, and settled near Pontiac, when he was only fourteen years old. There he received his education. He studied law in

Pontiac with H. L. Stevens, and with Baldwin & Draper, and was admitted to the bar in 1853. In September of that year he removed to Ontonagon, Lake Superior, Michigan, and there commenced the practice of his profession. He remained in this place until 1869, and was associated a part of the time in a law partnership with Jay A. Hubbell,—who is at present a member of congress from that district—until he removed to Houghton, and afterward with Judge W. D. Williams. He then removed to Appleton, Wisconsin, for the purpose of giving to his children the advantages of an education at Lawrence University, and where he could conveniently look after his extensive interests in copper and iron mines, and pine lands at Lake Superior. In this latter city, besides his law business, he has given a large part of his time to looking after his mining and real estate business. Mr. Jones while residing in the Lake Superior mining district was interested in and took an active part in all public matters relating to the development of that country. He held several offices of trust, and was a member of the Michigan legislature for two years; was prosecuting attorney for several years, and was circuit court commissioner and judge of probate of Ontonagon county. Mr. Jones was married in 1854 to Miss Elizabeth H. Weller, of Pontiac, and they have five sons, one of whom is an attorney at law in Colorado.

DAVID MARSH KELLY, Green Bay, was born in Hamilton, Massachusetts, in 1841. He is the son of Reverend George W. and Mary Marsh Kelly. His father was born in Virginia, and is a Congregational minister; his mother was born in Massachusetts, and belongs to one of the oldest and most respectable families in New England. When about ten years of age, he removed, with his parents, who are still living, to Haverhill, Massachusetts. He studied law, and was admitted to the bar in 1865, to practice in all the courts of that state. Immediately after his admission he formed a partnership with H. N. Merrill, a prominent and able lawyer, and commenced the practice of law in Haverhill. In 1867 he removed from Massachusetts to Appleton in this state, and was soon afterward admitted to practice in all the state and United States courts of Wisconsin. Here he became a director of the Green Bay and Mississippi Canal Company, and took charge of a line of steamboats running in the interests of that company on the upper and lower Fox rivers, and on Lake Winnebago. In 1868 Mr. Kelly became vice-president and superintendent of the Lake and River Transportation Company, a cor-

poration running steamboats on the upper and lower Fox rivers, and propellers on the great lakes, and of which company ex-governor Horatio Seymour, of New York, was president; and in the spring of that year he removed from Appleton to Green Bay, where he has ever since resided. In 1869 he purchased the interest of the Dousmans in the property and business of Dousman & Elmore, of Fort Howard, on the west side of Fox river, opposite Green Bay, in this state, then owners of the Green Bay elevator, and doing an elevator, grain and wholesale commission business. A partnership to continue the business was formed by Andrew E. Elmore and James H. Elmore, of Fort Howard, and Mr. Kelly, under the name of Elmore & Kelly. In 1870 he became a director and vice-president of the Green Bay and Lake Pepin Railway Company, a corporation organized for the purpose of constructing a railroad from Green Bay to the Mississippi river. After careful investigation of the project he became convinced that there was great merit in the enterprise, and that with proper effort the projected road could be built, and he therefore resigned his offices with the company, and entered into a contract to construct the entire line, binding himself to complete the road to the Mississippi on or before January 1, 1876. The first rail was laid in 1871, and in twenty-five consecutive months from that time the work of 214 miles was completed. This road is now known as the Green Bay and Minnesota railroad, of which Mr. Kelly was vice-president and general manager until December 1877, when he resigned to attend to his private business. During the rebellion Mr. Kelly served eighteen months in the Union army, and took part in the siege of Port Hudson and other important operations of the war. Heretofore keeping aloof from taking active part in politics, Mr. Kelly was nominated in the fall of 1876, as the republican candidate for member of assembly in a strong democratic district of Brown county. He was elected by a large majority and served as a member of the committee on the judiciary of the assembly of 1877. He was a member of the republican state convention, held in June 1877, and presided over its deliberations as its president, and filled the position with such general satisfaction that, on his reelection to the assembly the same year, he was the republican candidate for speaker for the session of 1878. Being elected to the assembly for the third time, he was chosen speaker for the session of 1879. During the session of 1879 he was favorably named for a compromise candidate for United States senator, with prospect of election if any other than one

of the three prominent candidates had been a necessity. In the summer of the same year his friends wished to bring him out for governor, but he gave no encouragement to their friendly offers in that direction. In the fall of 1879 the republicans of Brown county nominated him for state senator, to which position he was elected by a large majority in a strong opposition constituency, and he had the honor and distinction of being the first republican in the senate of this state from Brown county. His present term of office as state senator expired in 1881.

Mr. Kelly is in the enjoyment of vigorous and perfect health, and while not in the active practice of his profession is diligently and energetically engaged in furthering useful and important business enterprises. In the two sessions of the senate at which Senator Kelly served, he was a conspicuous and a leading member of that body. When speaker of the other house, he performed the duties of the chair with distinguished ability and won universal popularity. Mr. Kelly has been frequently mentioned for the office of governor of the state, as also for United States senator. Although a stalwart republican always, he has never been either a professional or a scheming politician. His many manly qualities command the respect of all classes and all creeds.

AARON H. KELLOGG, Appleton, was born at Vernon, Connecticut, September 1, 1844. His education was completed at Lawrence University, Appleton, Wisconsin. He then commenced the study of law at Appleton, with Hudd & Wigman, and finished with them after their removal to Green Bay. He was admitted to the bar at Green Bay in September, 1872, by Judge E. H. Ellis; commenced practice at Appleton, January 12, 1874; has been court commissioner for the tenth judicial circuit since 1875, and is now in practice at Appleton.

GEORGE H. MYERS, Appleton, was born in Middleton, Delaware county, New York. His father, Samuel Myers, was a farmer. The maiden name of his mother was Rachel Austin. The family moved to Pennsylvania in 1828, and settled on a farm four miles from Waterford, where George H. worked on his father's farm until he was twenty years of age, after which he studied three years at academies in Waterford and Erie. Subsequently he studied law with Judge John H. Galbraith, and was admitted to the bar at Erie in May 1849. Coming to Wisconsin the same season, he located in Appleton, and entered upon practice

in that village, which consisted of about three hundred inhabitants. He was the first lawyer to open an office in Outagamie county, and when it was organized in the spring of 1852, he was chosen district attorney for the short term of nine months, and subsequently occupied the office two additional years. In April, 1861, he was elected county judge, and resigned the office in February 1865. He was draft commissioner under Governor Salomon, and, on resigning his judgeship, went into the volunteer army, adjutant of the Fiftieth Wisconsin infantry, served six months, when he resigned. In 1868 he was appointed postmaster of Appleton, and held the office eight years. On the resignation of Judge E. H. Ellis, Mr. Myers was appointed judge of the court of the tenth circuit, which office he is now occupying. Judge Myers was formerly a whig, and has been a republican since the organization of that party. Although strong in his political faith, he has never sought government office or political distinction. On the contrary his inclinations are solely in the direction of the "weightier matters of the law." His law library is large and valuable, and in its use he is a constant student; consequently he has not only excelled as a safe counsellor and successful practitioner, but has the well-grounded reputation of soundness on points of law and of impartiality in his judicial decisions. Judge Myers married Miss B. A. Hawley, of Liberty, Pennsylvania, August 15, 1852, and they have a pleasant and attractive residence in the heart of the beautiful city of Appleton.

SAMUEL RYAN, Appleton, is a native of the State of New York, having been born at Sackett's Harbor, March 13, 1824. His father came to this country from Ireland; served in the American army in the war of 1812; settled at Fort Howard in 1826, before the city of Green Bay was platted, or contained within its present limits over three houses; was receiver of the land office at Menasha several years, and died in the latter place in April, 1876, at the advanced age of eighty-seven years. His son, Samuel Ryan, having received the rudiments of his education in the common schools, it was completed in printing offices. His first effort at the printer's art was at Green Bay in 1841, at which time he was seventeen years of age, afterward worked at the case in Chicago, and later in Milwaukee, where he helped set up the first number of the Sentinel newspaper. He went to Appleton in January, 1853, and commenced the publication of the Crescent on the 24th of the succeeding February,

and has continued the editor of that paper to the present time, excepting the years he was in the civil war. It has always been a publication of acknowledged ability and of authority with the democratic party. Besides that of editor Judge Ryan has been prominent in public and political affairs. When the war of the rebellion broke out his patriotism was aroused and he entered the military service by enlisting on January 4, 1862, in the Third Wisconsin Cavalry. He had previously enlisted a company of sixty-nine men for the Fourteenth Wisconsin Infantry, but not being full was disbanded in camp by Adjutant-General Utley. Going in as a private he was early advanced to the office of quartermaster sergeant, and was in service until January 1864. On his return home he again devoted his attention to the editorial duties of the *Crescent*. He has also been called to fill civic offices by the suffrages of his fellow citizens: was clerk of the circuit court two terms, county judge two terms, member of the assembly in 1865, has been justice of the peace the past nine years, and is now acting in that capacity.

Originally a whig Judge Ryan became a democrat when his party ceased to exist, and was democratic presidential elector in 1868 and in 1876. He belongs to the Independent Order of Odd Fellows, has been grand master of the grand lodge of Wisconsin, and for four years was representative to the sovereign grand lodge of the world. Judge Ryan is one of the most reliable, pleasant and cordial of men. He is well versed in the law, but, it is understood, to have never applied to be admitted to practice. Associated with him in the publication of the *Crescent* is his brother, James Ryan, who has been state senator, mayor, alderman and treasurer of the city of Appleton. The judge has had three wives, the third, it is said, being the first love.

HENRY C. SLOAN, Appleton, was born in De Ruyter, Madison county, New York, August 12, 1846. Mr. Sloan came to Wisconsin with his father's family in 1854. Settling in Beaver Dam, Henry C. received an academic education. In October, 1863, at the age of seventeen, he enlisted as a private in Company D, Fifth Wisconsin regiment, participated in the battles of the Wilderness, Spottsylvania, North Anna, Cold Harbor, Petersburg, and a number of minor engagements, and in July, 1864, was appointed second lieutenant of Marine corps, which office he resigned in January, 1865, when he joined the Forty-eighth Wisconsin as first lieutenant, and was mustered out with the regiment in March

1866. He had been previously appointed second lieutenant of the Fourth United States infantry in February 1866; was promoted to first lieutenant in July of the same year, and on December 31, 1870, resigned under the provisions of the act of congress reducing the army. He studied law with his father, A. Scott Sloan, at Beaver Dam; was admitted to the bar March 5, 1872; practiced at Beaver Dam until January 1875, when he removed to Appleton, where he has since resided; was elected city attorney in 1877, 1878, 1879 and 1880; in the fall of 1880 was elected to the assembly and served at the succeeding session of that body. Mr. Sloan has a partner, the firm being Sloan & Bottensek.

JOHN J. TRACY, Green Bay, was born at Windsor, Vermont, December 23, 1844; graduated at Dartmouth College in the class of 1864, entered the army immediately after graduation, and served till July, 1865, as a private in the Fourth Vermont regiment. Upon his discharge on the close of the war, he came to Green Bay, and taught in the high school at that place for two years. He studied law with J. C. Neville, and was admitted to the bar in the spring of 1868, when he commenced practice in Green Bay; was for a time in partnership with Mr. Neville, and is now in the firm of Tracy & Bailey. He has been twice elected district attorney, the last time resigning before the expiration of his term, having served from 1874 to 1876.

J. H. M. WIGMAN, Green Bay, was born in Amsterdam, Holland, August 15, 1835. His parents belonged to one of the noble families of Holland. In his early boyhood his parents bestowed on him an education in the institutions of that country. At the age of twelve he was, aside from his ordinary studies in his mother tongue, also able to read and write the French and German languages, and is to-day one of the finest linguists in the state. The death of his mother, in 1847, was the chief cause which led to his immigration to the United States in 1848. After his arrival in Wisconsin in the same year, and until 1854, he worked at farming and chopping wood, and afterward obtained a situation as clerk in a dry goods store, in Green Bay, where he continued for over two years. In the fall of 1856 he located at Bay settlement, and taught the district school. In August, 1857, he married Matilda Lyon-nais, and kept on teaching, holding also the offices of town clerk, treasurer, assessor, and justice of the peace in the town of Green Bay, now

town of Scott, and applying himself to the study of the law, at intervals, as opportunity offered. In March, 1863, he went to Europe to attend the settlement of his father's estate, and returned in July of the same year. On his return he located with his family in Appleton, where he entered the law office of T. R. Hudd, his present law partner, continued his studies, and was admitted to the bar in February, 1864, upon a thorough examination in open court.

After his admission to the bar he continued in the office of Mr. Hudd, and became associated with him under the name of Hudd & Wigman. In the fall of 1864 he received the democratic nomination and was elected to the office of district attorney for Outagamie county, to which office he was reëlected at the ensuing election in 1866, and again in 1868. In the spring of 1868 the firm of Hudd & Wigman moved their law office to Green Bay, Mr. Wigman remaining for a time in Appleton, to finish their then pending business. In 1870 he built his present elegant residence on Astor Heights, and in the fall he removed his family therein. In 1876 his wife died, after having for more than eighteen years, with the devotedness of a true woman and loved wife, sharing in former years the privations and struggles of her husband, and having borne him nine children, of whom two sons and five daughters survive her. In the same year Mr. Wigman married Miss Jane Meagher, his present wife. In his religious convictions Mr. Wigman is a Roman Catholic, and in political sentiment, a democrat, although steadily avoiding any of its recipient honors. In 1878 he received from the governor the appointment of district attorney for Brown county, but for professional and other reasons declined the same. In 1879 Mr. Wigman was made a member of the Societas Romana Princeps a Petro Juris Consultorum, and received his diploma from Rome under date of February 21, 1879. He began life with nothing, but by perseverance and close attention to business, has accumulated a moderate income. In April, 1882, Mr. Wigman was elected mayor of Green Bay. The firm of Hudd & Wigman is one of the oldest in the state, and has an extensive practice. Their offices are among the finest in the state, comprising a suite of five rooms, with a library of about two thousand volumes.



J. H. McWigman

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ELEVENTH CIRCUIT.

DANIEL BUCHANAN, Jr., Chippewa Falls, was born at Fort Winnebago, Wisconsin, July 11, 1851. He was educated at the State University; graduated from the law department of that institution, June 14, 1872, and at the same time was admitted to the bar by the supreme court at Madison. Subsequently he was with Bartlett & Hayden, Eau Claire, four years, from April, 1873, to March, 1877, at which time he removed to Chippewa Falls, where he has continued practice without a partner.

WILLIAM R. HOYT, Chippewa Falls, is a native of the State of Vermont, having been born in St. Albans, March 17, 1845, his parents being Romeo H. and Betsey D. Hoyt. His education was obtained in the public schools and Norwich University, in his native state, after completing which he studied law with Bailey & Davis, at St. Albans, and was admitted to the bar at the same place, September 10, 1867. Coming to Wisconsin in 1868, he located at Chippewa Falls, and commenced the practice of law in company with John J. Jenkins, and afterward with Mr. Jenkins and J. M. Bingham as partners. In 1872 he moved to Eau Claire, and entered into partnership with Henry Cousins, at which place he was twice elected city attorney. Subsequently returning to Chippewa Falls, he is now practicing alone, and has served as city attorney; has been county judge and court commissioner for the county, and district attorney, having been elected three terms in succession to the last named office. During the late war Judge Hoyt entered the volunteer military service, successively as private, corporal, sergeant-major, second and first lieutenant, and for the last year of the war commanded Company A, Tenth Vermont infantry.

GEORGE DAVIS McDILL, Osceola Mills, was born in Wayne, Crawford county, Pennsylvania, July 28, 1838. Having received an academic education he adopted the profession of law, to fit himself for which he entered upon its study in 1865, and was admitted in the fifth circuit, at Prairie du Chien, in 1870. He came to Wisconsin in 1841, living first in Beloit, afterward in Vernon county; finally settled in Polk county in 1872, and is now in practice there. Mr. McDill was district attorney for Polk county for two terms, from January 1874; was chairman of the board of supervisors of the same county five successive years, and member of the assembly for 1881, during the session of which

he served on the committee on the judiciary, and joint committee on charitable and penal institutions. At the commencement of the late war Captain McDill enlisted in Company I, Sixth regiment, in which he served in active duty to March 24, 1874, at which time he was commissioned captain of Company K, Thirty-seventh regiment, and, on account of wounds, was discharged November 3, 1864. He was in the engagements of Gainsville, Bull Run, South Mountain, Antietam, Fredericksburg, Chancellorsville, Gettysburg, and the siege of Petersburg. For the session of 1882 Captain McDill again served as a member of the assembly, and was prominent in the business of that body.

W. L. PIERCE, Chippewa Falls, was born in Amboy, New York, March 22, 1849. His parents were Joseph C. and Almira Pierce. He was educated at Lawrence University, Appleton, after completing which he studied law with Dobbs & Foote, at Ripon, and was admitted to the bar at the circuit court at Fond du Lac in November 1870. He commenced the practice of law at Ripon in company with Jeremiah Dobbs, and the firm of Dobbs & Pierce continued from 1870 to 1875, when Mr. Pierce came to Chippewa Falls, and entered into partnership with Lieutenant-Governor J. M. Bingham, which firm continues to the present time. Since residing at the Falls he has been city attorney, alderman, and member of the board of supervisors.

WILLIAM H. STAFFORD, Chippewa Falls, was born in Orono, Maine, March 19, 1855, and is the son of Richard T. and Margaret M. Stafford. His education was obtained in the public schools of Maine and Wisconsin. He studied law with Lieutenant-Governor J. M. Bingham, at Chippewa Falls; was admitted to the bar in 1879; opened an office at Chippewa Falls, and is now practicing law there. Since coming to Chippewa county he has held the office of town clerk three years, and now holds the office of county judge for Chippewa county, to which he was elected April 5, 1881, for the term of four years commencing January 1, 1882.

WILLIAM M. TOMPKINS, Ashland, was born in England, February 24, 1845. His education was commenced at the Brunson Institute, and afterward he was two years in the State University. He prepared himself for the profession of the law by self study, was admitted to

the bar at Ashland in July, 1875, and has been in practice at that place since that time. Mr. Tompkins has been district attorney for Ashland county, town clerk, and county superintendent of schools.

TWELFTH CIRCUIT.

IRA W. BIRD, Jefferson, was born in Oneida county, New York, in 1819, and with such outfit as was then supplied by the common school, came to Wisconsin in 1836; remained in Milwaukee upon a claim, and clerked in a store until 1838, and then went to Madison, and was employed as one of the working hands upon the old capitol. In 1841 he was elected register of deeds of Dane county, and held that office three years, was sheriff of Dane county one term, studied law with Thomas W. Sutherland, was admitted to the bar and commenced practicing law at Madison in 1847. He represented the Madison assembly district in the legislature in 1849. In 1850 he went to California by the way of Salt Lake, and in that city tried a suit in the tabernacle of the saints. While in California Mr. Bird was city attorney of San Diego, quartermaster and commissary of an expedition fitted out by the state to protect the settlers in southern California from Indian depredations, and in the winter of 1852 he was employed to assist the engrossing clerk of the senate at a session of the legislature held at Sacramento. In the summer of 1852 Mr. Bird returned to Madison, and in December of that year married Antoinette Ruby, youngest daughter of Jeremiah and Maria Brayton, of Aztalan in 1854, moved to Jefferson, and two children, Ella Antoinette and Jessie Louise, were born of that marriage. Jessie died in infancy. Ella is the wife of R. B. Kirkland, of Jefferson. Mrs. Bird, with the roses of youth still blooming upon her cheek, was smitten by the destroyer, in early womanhood, and fell, loved and mourned, as only an affectionate daughter, generous sister, loving wife, tender mother and considerate friend may be loved and mourned. In 1864 Mr. Bird married Emily Mary, daughter of A. T. and Lydia W. Howes, of Jefferson, and four children blessed this union, Ralph, Belle, Janet and Edgar, all of whom are living but Edgar, who died in infancy. Since Mr. Bird has lived in Jefferson he has held nearly every office in the village, city, town and county, among which may be mentioned president of the village, mayor of the city, chairman of the town, county clerk, clerk of the circuit court, justice of the peace, and county judge. Though a member of the law firm of I. W. & G. W. Bird, Mr. Bird devotes the most of

his time to the improvement of a stock farm, owned by the firm, near the city of Jefferson.

GEORGE W. BIRD, Jefferson, was born in Milwaukee, July 28, 1837. After a preparatory course, he entered the State University, from which he graduated in June, 1860. He commenced the study of law, July 5, 1860, in the office of Smith, Keyes & Gay, at Madison; was admitted to the bar two years later, and established himself in practice at Jefferson in 1863, where he has made his home to the present day. In May, 1864, he enlisted in Company D, Fortieth Wisconsin regiment of three-months men, and was mustered out in September 1864. Returning to his profession at Jefferson, he held the office of county superintendent of schools from 1866 to 1870; was private secretary to Governor W. R. Taylor, during his administration, and member of his staff; was two years member of the county board; was chairman of the town board, and delegate to the national democratic convention of 1876 that nominated S. J. Tilden for President, at St. Louis. Colonel Bird married Maria S. Sawin, October 2, 1864, and has four children. He is now in partnership in the practice of law at Jefferson, with his brother, I. W. Bird, under the title of I. W. & G. W. Bird, and doing a leading business.

NELSON BRUETT, Jefferson, was born at Mussena Springs, New York, August 14, 1828, and his parents were Francis Bruett and Mary DeLerba Bruett. He was educated at Gouverneur, Wesleyan Seminary, St. Lawrence county, New York; commenced studying law with Holmes & Merriman in 1856, at Jefferson, Wisconsin; was admitted to the bar at Jefferson in 1859, by Harlow S. Orton, circuit judge; commenced practice at Jefferson with John E. Holmes, in 1859, and continued the association with him until the breaking out of the war in 1861. He then enlisted in July, 1861, in the First Wisconsin cavalry; was captain of Company D, and was discharged for disability, in August 1863. His health was so much impaired that he did not resume the practice of law until 1875, since which time he has been, and is now, in practice at Jefferson, Wisconsin.

HENRY COLONIUS, Jefferson, was born in Waechtersbach, March 12, 1831; was educated at Academic Gymnasium, in Hanan, and at Buedingen, Germany; finished course in primus class in full preparation for

the University; came to America in 1849, and was eight years engaged in manufacturing cigars in New York city; in 1858 and 1859 he edited the *Virginia Staatszeitung*, at Wheeling, Virginia; was in the commission business, in Watertown, Wisconsin, for a time, and came to Jefferson in 1862. In 1870 he was elected registrar of deeds, which office he held two terms; served as town clerk in 1875 and 1876, and is now probate judge of Jefferson county. On May 25, 1866, he married Catherine Limper, who is a native of Buedingen, Germany, born February 5, 1849. Mr. Colonius is a member of the Independent Order of Odd-Fellows.

CHESTER A. CASWELL, Fort Atkinson, was born at Fort Atkinson, June 8, 1856. He was educated at the high school in Fort Atkinson and State University in Madison; attended law school at the University, and was admitted to the bar in 1877. He formed a copartnership with his father, L. B. Caswell, under the firm of L. B. & C. A. Caswell, and has so continued to the present time in practice. He has principal charge of the office while the senior partner is absent, which is a large portion of the time.

BARNABAS B. ELDRIDGE, Janesville, was born at Sharon Springs, Schoharie county, New York, February 2, 1824. His parents are David and Sally Eldredge. He was educated at Hamilton College, at Clinton, New York; studied law with Judge Jabez D. Hammond, of Cherry Valley, New York, Samuel Stevens, of Albany, New York, and at Cambridge Law School, under Professor Simon Greenleaf and Judge Bent; was admitted to practice at Salem, New York, at a term of supreme court, Judges Cady, Hand, and Willard presiding, in May, 1848, and has practiced law with John J. B. Pease and General Thomas Howard Ruger, at Janesville, and also with Ogden H. Fethers at the same place.

JACOB J. ENOS, Watertown, was born in Johnstown, Fulton county, New York, July 5, 1816. This was an old colonial settlement, with its forts and castle, founded by Sir William Johnson. Having completed the ordinary course of preparatory studies, he was admitted to the bar of his native state. Like many other enterprising young men about to make a start in life, he came to the promising West, taking up his resi-

dence in this city in January, 1844, just thirty-eight years ago. With youth, talents and a new field of achievement in his favor, he at once entered on the practice of his profession, the first regular lawyer in Watertown, with zeal and industry, and by his intelligence and ability soon won the high position at the bar in Jefferson and Dodge counties, and in the state, which he maintained with unvarying uniformity. Immediately after coming west he received the appointment of court commissioner. In 1848 he was placed on the whig ticket as a presidential elector. Under President Taylor he was postmaster of the city, the duties of which he discharged to general satisfaction. Though holding few official places, he was always an active and influential leader of his party; but while taking a lively interest in political affairs, he, for the most part, preferred to give his time and attention to the demands of his rapidly increasing legal business. In 1853 he formed a partnership with Daniel Hall, which continued twenty one years, and was only dissolved by the death of the senior member of the well-known firm. In the ripened strength of his maturity and usefulness, his departure caused a wide and sad vacancy in the various circles in which he moved in his profession, in society, and above all and beyond all, in that home which he so tenderly cherished as the aim and end of all his efforts, and to which, amidst all his cares and toils, he ever fondly turned as the center of his serenest happiness and purest enjoyment. He was ardently devoted to his profession, because in its pursuits he found the reward success brings and eminence confers. As an adviser he was sincere and reliable, seeking to have on his side what he regarded as law and justice. As an advocate addressing a jury, he was earnest and impressive, and when the occasion required, was capable of rising into strains of persuasive eloquence, which excited the emotions and convinced the judgment. Full of resources, he had at his command the valuable faculty of seizing with intuitive sagacity the strong points of his own case, and at the same time of detecting the weak ones of his opponent, and using this rare gift with admirable skill, he was a formidable adversary, not easy to be overreached or defeated. In his intercourse with the court and members of the bar, he was affable, and courteous, and enjoyed an enviable popularity with all classes. As a neighbor and friend, he was considerate and generous; and if he sometimes exhibited a little fitful irritation or austerity in his impatience of shams and wrongs, underneath this apparently stern demeanor,





Acst. J. Mos.

sooner or later, there was always sure to break out the genial feelings and real kindness of the man. His heart was true and sound in its noble parts. Mr. Enos died at Watertown, of neuralgia of the heart, January 3, 1874, in the fifty-eighth year of his age, and leaves a wife, two sons and a daughter. Colonel H. M. Enos, of the regular army, and Major E. Enos, postmaster at Waukesha, are his brothers.

EDWARD M. HYZER, Janesville, was born at Janesville, December 10, 1854. His literary education was acquired at the Janesville High School and Classical Academy, of the same place. He obtained his legal acquirements in the law office of Cassoday & Carpenter, Janesville, and was admitted to the bar of Rock county circuit court, January 14, 1879, and to the bar of the supreme court, February 3, 1880. In April, 1880, he was elected to the office of city attorney of Janesville, and reelected to the same office in April 1881.

ALFRED A. JACKSON, Janesville, was born in Verona, Oneida county, New York, August 8, 1831, and was descended from the Puritans of New England. His father, Truman Jackson, was born in Connecticut, March 6, 1800, and was an honest, intelligent and industrious farmer; his mother, whose maiden name was Mary Lowton, was born in New York. The careful religious training which Mr. Jackson received from his honored parents in his early years has remained with him through his subsequent life. His boyhood was spent in aiding his father on the farm, and this employment developed in him the strong physical frame which he has to-day. He received a common school education, and then attended an academy located at Rome, New York, for two years, where close application to study impaired his health and caused him to quit the school. He remained in Oneida county after this about two years, and in April, 1855, he came to Janesville, where he has since resided. Here he entered upon the study of law in the office of I. C. Sloan and I. F. Patten, and continued it a few months in the office of Bennett, Sloan & Patten, after those gentlemen formed a partnership with John R. Bennett; afterward he commenced reading in the office of Sleeper & Norton, and continued with them until June 1, 1858. He was admitted to the bar of Rock county in 1856, to the supreme court of this state in 1857 and to the supreme court of the United States in 1868. On

the first day of June, 1858, he formed a law partnership with James H. Knowlton and Moses S. Prichard, which continued until 1862, and since then he has been in business alone, except a short time with Pliny Norcross.

Mr. Jackson, from the purity of his life and character, adorns and honors his profession. Being a gentleman of a modest and retiring nature, he has never been ambitious to obtain office, and has avoided rather than sought the honors which official positions bring. And yet being deeply respected and honored by the community where he has resided, he has been called to fill many local offices. He served as alderman of the city of Janesville from 1864 to 1866; was mayor in 1868 and 1869; has been a member of the county board of supervisors of Rock county; was several years president of the board of trustees of the Wisconsin Institute for the education of the blind; was acting in this capacity when the present building was erected; and his wisdom and judgment greatly aided in providing this building, which for its purpose is one of the most substantial and useful of any erected in the state. Mr. Jackson is the president of the Rock County Bar Association, and an officer of the State Bar Association. To all of these positions he brought abilities commensurate to the performance of every duty, and he has discharged such duties with the strictest integrity and with great fidelity.

As a lawyer, Mr. Jackson is learned, laborious and painstaking, bringing to every case he undertakes, thorough preparation and careful study. But his practice has been confined mainly to cases tried by the court without a jury and to practice in the supreme court of the state and the United States courts. There is hardly space in this brief sketch to speak of Mr. Jackson otherwise than as a citizen and lawyer, and yet this brief biography would be very deficient if we did not add that he is a gentleman of fine literary taste, and is well read in modern literature. In the year 1872 the faculty of Beloit College conferred upon him the honorary degree of A.M. He is a member of the Congregational church in Janesville, and was for many years president of its board of trustees. And he was the first president of the Young Mens' Christian Association of Janesville.

ROBERT BARR KIRKLAND, Jefferson, was born in Glasgow, Scotland, March 8, 1849, his parents being Alexander and Jane Hewetson Kirk-

land. His education was principally obtained at the high school of his native city. Coming to America in the fall of 1869 he entered upon the study of the law with I. W. and G. W. Bird, at Jefferson, was admitted as an attorney at the same place, February 26, 1876, and has been in practice alone in Jefferson to the present time. In the fall of 1880 he was elected district attorney for Jefferson county. Before leaving the old country Mr. Kirkland served eight years in the British navy.

JOHN J. R. PEASE, Janesville, was born in Connecticut, came to Wisconsin, and settled at Green Bay in June 1840. While living at that place he was employed in the office of the register of deeds, and in other vocations. Having prepared himself for the profession of law he was admitted to the bar in 1849, and has been continuously in practice since that time. In 1866 he changed his residence to Janesville, and has resided there to the present time. For over twelve years he was a director of the Chicago, St. Paul & F. Railroad Company; was one of the first directors of the Rock County Bank; has been one of the trustees of the Northwestern Life Insurance Company for twenty years; has been a director of the Janesville Cotton Manufacturing Company since its organization; was mayor of Janesville for 1856; served several years as supervisor, and in other local offices; is a trustee and president of the Oak Hill Cemetery Association, and has been connected with that association eighteen years. His partner in law business at Janesville is W. H. Ruger.

MOSES S. PRICHARD, Janesville, was born at Bradford, Orange county, Vermont, April 8, 1822, and is son of George W. and Elizabeth Prichard. He was educated at the University of Vermont; studied law at Oxford, New Hampshire, with Leonard Wilcox, who has been judge of the supreme court, and United States senator, and was admitted as an attorney at Chelsea, Orange county, Vermont, in 1844. When he came to Wisconsin it was in company with A. Hyatt Smith, David Noggle, Amos P. Prichard, John M. Berry,—now judge of the supreme court of Minnesota,—John D. Parker, James H. Knowlton and A. A. Jackson, a notable array of gentlemen, all of whom have arrived to distinction. Judge Prichard has filled the offices of justice of the peace, county judge, and police justice of the city of Janesville, in which last capacity he is now serving.

WARREN H. PORTER, Jefferson, was born in the state of New York, November 4, 1837, his parents being Garnett and Lucina Porter. He was educated in private select schools, and was at the Wisconsin State University a short time; studied law with Robert Flint, at Fond du Lac, Wisconsin; was admitted to the bar at Jefferson in September, 1862, and has been practicing at Jefferson since that time. His partners have been D. F. Weymouth and N. Slemake. For one term he was clerk of the board of supervisors.

ARCHIBALD N. RANDALL, Broadhead, was born in Sardinia, Erie county, New York, August 22, 1830, and is the son of Archibald and Eunice Randall. His education was completed at Brockport Collegiate Institute, New York. Subsequently coming to Wisconsin he located in Rock county; undertook and accomplished the study of law in his own office; was admitted to the bar at Monroe in 1871, and has practiced at Broadhead by himself to the present time. He has been superintendent of schools, has held various town offices, and in 1881 was elected, as a republican, to the state senate. During the late rebellion he went into the volunteer army; was captain of Company G, Thirteenth Wisconsin infantry; was acting assistant inspector-general of the district of Tennessee, upon the staff of General Rosseau; was engaged in the battles of Franklin and Nashville, and many engagements of less magnitude, including seven battles against the rebel forces under rebel General Wheeler, and two against those commanded by Forrest; was also with General Rosseau in his celebrated raid around Atlanta. He also commanded a battalion of mounted infantry during the summer of 1863, with headquarters at Fort Donelson, Tennessee, performing meritorious and valuable service in clearing a large tract of country from guerillas, fighting them wherever found.

JOHN W. SALE, Janesville, was born in La Porte, Indiana, in 1842, and, when an infant, his parents came to Rock county, where they settled. Mr. Sale graduated from the Michigan University in June, 1866, at which time he was admitted to the bar of Michigan, and to the bar of Wisconsin the same year. He came to Janesville in 1866; commenced practice there January 1, 1867; was several years city attorney, is now serving his fifth year as district attorney, and is partner of J. R. Bennett in the practice of law.

JOHN WINANS, Janesville, was born in the town of Vernon, county of Sussex, New Jersey, on the 27th day of September, 1831. His father, William R. Winans, and his uncle, Ross Winans, of Baltimore, were descendants of the Hollanders, who were among the earliest settlers of that state. The subject of this sketch, after reading law at Newton and Trenton, New Jersey, and a portion of the time with Martin Ryerson, since one of the supreme and circuit judges of that state, was in the fall of 1855 admitted to practice in all its courts.

In the fall of 1857 Mr. Winans came to Wisconsin, locating at the city of Janesville, engaging in the practice of his profession, where he has since resided. The source of every lawyer's wealth, so far as the practice of his profession is concerned, is the confidence of the people in his personal and professional integrity. This confidence, though easily lost, can only be won and retained by a long and honorable professional career. His very large and successful legal business demonstrates that Mr. Winans has not only won the confidence and esteem of his fellow-citizens, but that he easily and justly retains them.

He possesses all of the qualifications requisite to a great lawyer. In his mental organization he is clear, calm and comprehensive; and while in his affections he is tender and sympathetic, yet his will-power and sense of justice are so strong that he cannot be moved from those things which he believes are just and proper, or swerved in the least from the path in which duty and honor call him to go. Well grounded in the principles of the law, industrious and attentive to business, he brings to all cases intrusted to him thorough preparation and careful study. Some lawyers have great power in discussing questions of fact to a jury, but are not equally able in arguing points of law to the court. Mr. Winans is fortunate in possessing those qualities of mind and heart, which enable him to excel in both positions; and it would be difficult for his brethren to determine in which he takes highest rank and is most successful.

His arguments to the jury are clear, forcible and impressive; and, in important cases, are characterized by a sincerity, zeal and persuasive eloquence that at once command and retain the attention, and not infrequently tenderly touch and move every heart; while those addressed to the court are models of logical clearness and legal analysis. In Rock county, which has always had an able bar, Mr. Winans stands today the acknowledged leader, and his brethren throughout the state

accord to him a position in the very foremost rank of the profession. The late Senator Carpenter, whose fame as a lawyer is national, said that if he had an important case of his own, he would as soon commit it to Mr. Winans, or one other lawyer whom he named, as to any member of the bar in Wisconsin. His uniform kindness and courtesy to his professional brethren are as noticeable as they are worthy of imitation. And however vexatious or perplexing the circumstances of a case may be, he never becomes angry, or for one moment loses his self-possession. It may be unnecessary to add that such a man and lawyer is ever a faithful friend and an upright, honorable citizen. In politics Mr. Winans has been classed as a democrat, though he follows his own convictions instead of the dictation of party.

In 1864 he was a member of the democratic national convention of Chicago, in 1868 the democratic candidate for congress in the second congressional district, composed then of the counties of Rock, Jefferson, Dane and Columbia, which being largely republican, he was defeated, and member of the assembly in 1874 and 1882. To every public position he has been called to fill, which have been many, he has brought abilities amply adequate to the performance of every duty, and a sincerity and uprightness of purpose which places all his acts above cavil or reproach. Mr. Winans, both in his professional life and in his public acts, has ever been governed by high moral principle. And this is "the only torch to light the way of a lawyer amidst darkness and obstruction. It is like the spear of the guardian of paradise."

THIRTEENTH CIRCUIT.

SAMUEL STEBBINS BARNEY, West Bend, is a native of Wisconsin, and was born at Hartford, Washington county, January 31, 1846. His father, John Barney, and also his mother, whose maiden name was Adeline A. Knox, were of New England parentage. Mr. Barney received his education at Lombard University, Galesburg, Illinois. He studied law at West Bend, Wisconsin, in the office of Frisby & Weil, and was admitted to the bar in the spring of 1871. For five years, from 1874 to 1879, he was a member of the firm of Frisby, Weil & Barney, associated as a partner in the firm with which he studied. He is now the senior member of the firm of Barney & Kuechenmeister, at West Bend. Mr. Barney was for four years the county superintendent of schools, of Washington county, his term of office having commenced January 1, 1876.

S. K. DELANEY. Maysville, was born at Fort Ticonderoga, New York, January 10, 1841. His parents were James and Theresa O. Delaney. He was educated in the common schools at Horicon, Wisconsin; studied law with Montgomery & Tyler at Sparta and La Crosse, and with A. J. Rising, Horicon; was admitted to the bar in Dodge county circuit court in February, 1865, and is in practice alone at Maysville. He has been superintendent of schools for Dodge county six years; was member of the assembly in 1869, and is now member of the senate for 1881 and 1882, where he is serving on the committee on the judiciary and on public lands. At the session of the legislature in the winter of 1881, Senator Delaney gained much applause in the delivery of a very able eulogy upon the death of Mathew H. Carpenter, before a joint convention of the two houses and on which occasion there was a crowded outside audience, which listened with appreciating attention to the unexpected display of oratorical power by the young senator.

ISAAC N. FRISBY, West Bend, was born in Mesopotamia, Trumbull county, Ohio, March 6, 1820, and is the son of Lucius and Lovina Frisby. His early life until he was eighteen years old was on a farm, commencing his education in the common schools. He subsequently took an academic course in the Farmington academy in his native state. He entered upon the study of the law in 1848 by borrowing law books of his friend, H. H. Hatch, at Warren, Ohio. In June, 1850, he moved to Washington county, Wisconsin, and engaged for about two years thereafter in teaching school at Newburgh. In 1853 he located in the village of West Bend; opened a law office there and associated himself for the study and practice of the law with N. W. Tupper; was admitted to the bar as an attorney at law at West Bend, 1853; held the offices of deputy clerk of the circuit court of the county from 1853 to 1855; was admitted to the supreme court September 10, 1867, and to the United States circuit of the eastern district of Wisconsin, March 1, 1875. His business connection with Mr. Tupper ended in January 1856. On January 1, 1862, he formed a partnership in the law business with F. O. Thorp, which was continued till January 1, 1870. He continued the practice of law alone till October, 1879, when he formed a partnership with S. S. Barney, which continued till December 1880, since which date he has been alone in the business. He held the office of district attorney of the county by appointment for a short time; has held the office of circuit court commissioner since 1868.

FREDERICK W. HORN, Cedarsburg, was born in Lienum, in the Mark Brandenburg, Prussia, August 21, 1815; was educated at the Gymnasium of the Gray Friar, in Berlin. He left Prussia for the United States in 1836; resided in the State of New York until 1837; went in the fall of that year to Michigan, and traveled through Illinois, Iowa and Missouri, returning to Michigan in the winter of 1839; in 1840 he came to Milwaukee; in 1841 settled at Mequon; in 1847 removed to his present place of residence. He was appointed by Governor Doty, in 1842, justice of the peace for Washington county, then the only magistrate in the county; was postmaster at Mequon during his residence there; register of deeds in 1846 and 1847; elected as an independent candidate to the first state senate, in 1848, and reëlected for 1849 and 1850; was elected to the assembly in 1851, 1854, 1857, 1859, 1860, 1867, 1868, 1871, 1872, 1875 and 1881, and was elected speaker of that body in 1851, again in 1854 and in 1876; was state commissioner of immigration, residing at New York, in 1854 and 1855; was a delegate to the democratic national convention at Charlestown and Baltimore in 1860, serving as vice-president, again a delegate to the democratic national convention at New York in 1858, and represented Wisconsin in the democratic national committee; was elected to the assembly in 1871 by the unanimous vote of both parties of the district; was again elected in 1872 and 1875, and at the ensuing session of 1876 was elected speaker for the third time. In 1881 he was again elected to assembly on the democratic ticket. Mr. Horn has for many years been prominent in Wisconsin politics, and is a strong man every way. In the legislature he was always a leader, and distinguished as an able and correct parliamentarian. Mr. Horn married Adelheid Schaellner in 1845; she died in 1849, and he married Minna Schaper in 1850, and he has seven children living.

CHARLES H. MILLER, West Bend, was born in the city of Doebeln, in Saxony, September 26, 1826, and received his education before coming to America. He commenced the study of law with Pierce & Stanford at Port Washington, in 1848, and practiced his profession with P. O'Meara, in West Bend, under the firm of O'Meara & Miller, from 1871 to 1881, and now alone. He has been register of deeds of Washington county, clerk of court, and has also represented his district in the assembly.

PATRICK O'MEARA, West Bend, was born at Emmett, Dodge county, Wisconsin, February 27, 1845. His parents came from New York, and settled in Wisconsin during the year 1844. Mr. O'Meara was given such an education as the common schools of that period afforded, and also attended private school and the Northwestern University at Watertown. He graduated from the law department of the State University in 1870, and commenced practice at West Bend in 1871. Has been four times elected district attorney of Washington county, his first term having begun in January 1875. Mr. O'Meara has a brother practicing law in Milwaukee. For a time he was in partnership with C. H. Miller, in his practice at West Bend, and the partnership was dissolved in 1881.

WILLIAM A. PORS, Port Washington, was born in Hamburg, Germany, November 17, 1827, and came to the United States in 1849, locating in Washington county, where he followed farming one year. Before leaving his native country he acquired his education at Tohonneum, a school of high degree in Hamburg. Leaving his agricultural pursuits in 1850, he was employed as clerk in the office of register of deeds at Port Washington for one year, when having decided to enter the profession of law, he went to New Hampshire, and commenced the study of it with Stephen Crosby, at Francistown, with whom he remained one year. From there he proceeded to Lowell, Massachusetts, and continued his studies with Judge Crosby, and in December, 1853, was, on motion of Benjamin F. Butler, admitted to the bar. Returning soon after to Port Washington, he has been engaged in law practice at that place to the present time. In 1862 he was draft commissioner during the draft riots, and has been district attorney several terms. In 1859 he married Miss Ida Heinemann, a native of Hanover, and they have one son, who is now a practicing lawyer in Oshkosh.

JOHN SHELLEY, West Bend, is a native of Pennsylvania, and was born at York, February 7, 1817. He received his education at Pennsylvania College, Gettysburg, and studied law with Thomas C. Hamly, York. At the same place he was admitted to practice in 1840. He has followed his profession in Wisconsin, at West Bend, and his only law partner has been F. O. Thorp. Mr. Shelley has been county judge of Washington county since 1858.

EUGENE S. TURNER, Port Washington, was born at East Oswego, New York, June 14, 1824. His father was Joseph Turner, who married Mary Griswold, the mother of the subject of this sketch, at Herkimer, New York, in the summer of 1816, and he was a member of the last territorial council, and the first senator from Waukesha county. On May 11, 1840, the parents, with their family of one daughter and four sons, Eugene being the third, landed at Milwaukee, then a place with a population estimated at 1500. They soon located on three hundred and twenty acres of government land, three miles west of Waukesha. The three years of manual labor on that new farm gave him those powers of physical endurance that have been a great advantage, enabling him to undergo in latter years the frequent and continuous strains incident to an active professional career.

He had been kept at private schools and at the Oswego Academy, but his physical tasks did not check his ambitious efforts to continue to build up and add to the foundations already laid, so that for four years after coming west every available resource was laid under contribution to prepare himself for entering systematically the study of the law, teaching school a part of the time. He entered as law student the office of Alexander W. Randall, afterward governor and postmaster-general. At the end of a year and a half he entered the office of Tweedy & Crocker, in Milwaukee where for a year he alternated between being a student in their office, and deputy clerk of the United States district court. In June, 1846, together with A. R. R. Butler, he was examined and admitted to the bar of the United States court, at Milwaukee. Advised by friends he located at Grafton, in Washington county, that year. In the winter of 1846 and 1847 he was assistant secretary of the territorial council, and by that service saved enough to purchase the commencement of a law library. In 1848, as a candidate for district attorney of Washington county, he was defeated by a few votes.

In 1849, after a hard and very spirited contest on account of his youthful appearance, he was elected to the legislative assembly, where he served the succeeding winter, with credit and some notoriety in the contest on the county seat question, and as chairman of the committee on ways and means. In 1850 he was elected district attorney over Leland Stanford, late governor of California, and now the wealthiest tax payer on the Pacific coast. Mr. Turner was reelected district attorney in 1852 over most serious opposition. In 1853 he was one of the most

active in opposing the division of Washington county, and spent a part of the summer at Madison, in preparing for and testing the validity of the law before the supreme court. In 1854 he traveled extensively in Europe and through Great Britain. That year he was again elected district attorney and served, making six successive years. About this time, becoming dissatisfied with his own party administration of state affairs, he left political life. Upon the breaking out of the rebellion he was a thorough war democrat and ever since a pronounced and known republican.

In 1863 he removed to Port Washington, where he has, except for two years and a half, continued in the practice of his profession. As a lawyer and an advocate he has made more than an average success. The preserved records of Washington, Ozaukee and adjacent counties attest his perseverance and ability, and they furnish an encomium greater than any written biography. His efforts have often been sought with pen and speech outside of the strict line of the profession, and though pronounced and many times emphatic with both, he has never left anything like an impress of malice. He was married in 1850 to Frances H. E., eldest daughter of Elijah Gove, of Waukesha, and they have two daughters living and married. He has ever been a promoter of temperance, morality, religion and education, but never in any regard with narrowness of conception or bigotry. In fact, in all his life work, whether at the bar or otherwise, a measure or principle with him has uniformly taken the lead, to the exclusion of personal consideration of himself; at the same time he has not been too severe, or unmindful of the weakness of others.

The length of this sketch precludes us from noticing in detail the numerous contests in which Mr. Turner has borne a part at the circuit, as a trial lawyer. They have been many and important. In the supreme court they have ranged through a period of twenty-nine years, many of them requiring much study and research, and some of them conspicuous in the settlement of principles, commencing in 1853 with the constitutional question of the division of Washington county, and the erection of the county of Ozaukee, in which he was successfully opposed by the present able associate justice, Harlow S. Orton, then in hey-day of his professional practice. Mr. Turner's appearance and habits would indicate a long period of future usefulness.

OMITTED FROM SECOND CIRCUIT.

HORATIO NELSON WELLS, Milwaukee, was born in Chittenden county, Vermont, in 1808. He was prepared for the bar in the office of D. A. Smalley in the same county. Mr. Wells came to the west together with Hans Crocker, and located themselves in Milwaukee in October 1836. The two friends commenced the practice of law there as partners under the firm of Wells & Crocker. Once started in, and his talent as an advocate becoming known, he was at once launched upon a sea of business, which extended into neighboring counties. His forte was before a jury more than in his learning in the law. His tact was infinite, his wit keen, resources inexhaustible, good nature supreme, and his apt reading of men remarkable. Consequently popular, he carried court, jury and audience before him.

In 1859 he was elected a member of the territorial house of representatives; in 1846 he was a member of the territorial council, which position he held two years, during which he was president of the council, three sessions of which were held in 1847 and 1848. In 1850 he was elected county judge for the county of Milwaukee, and occupied that bench four years. After the expiration of his term of office as judge he did but little business in the line of the law, and died August 18, 1858, and a great legal light that had been feebly flickering the previous four years or more went out in utter darkness.

When he commenced practice in Milwaukee, "he went at once to the head of the bar, and memories of his flashing wit and swift eloquence light up the eyes of the old lawyers now living. Mr. Wells was always making some sharp turn, and his wit was always so ready, so unprepared, that even its victims were sometimes charmed with it. His was a very proud spirit, and it is on record that the cloud which darkened his later days rested there because of the discouragements and vexations brought on from the constant annoyances of discordant natures. He was generous to a fault, often to his own disadvantage. He died August 18, 1858, a wreck of the handsome, vivacious young man who came to Milwaukee with such high hopes in 1836."

"The most noted of the cluster of early lawyers practicing in Milwaukee were H. N. Wells and Jonathan E. Arnold. Mr. Wells, a nervous, quick-spoken man, was the synonym for wit and lightning brilliancy. Finely educated and ambitious, for many years he disputed the palm of

eloquence with Mr. Arnold, his young contemporary, and this in the poetic quality and richness of intellect."

To show the aptness of Mr. Wells in trial cases the following is quoted: "A man was on trial for perjury, and he was defended by that sharp and quick-witted lawyer, H. N. Wells, a man of great resources in a jury trial. The testimony was going strong against his client, when he bethought to ask the squire where he was born. It proved to be across the water called the Atlantic. 'How many times did you appear in court or before the clerk to become naturalized?' inquired Wells. 'Once only,' was the reply. 'I demand then, your honor, that the indictment be quashed,' said Wells, addressing the court, 'as it requires the second application to become naturalized.' And the indictment was quashed, or a nolle prosequi entered under the direction of the court."

HARRISON CARROLI. HOBART, Milwaukee, is a native of Ashburnham, Massachusetts. At the age of sixteen years he entered the printing office of John R. Reding, in Haverhill, New Hampshire. He subsequently prepared for college at the Concord Literary Institute and the New Hampton Academy, and he entered Dartmouth College in 1838, graduating in 1842. He afterward studied law in the office of the late Robert Rantoul, and was admitted to the Suffolk county bar in 1845. In 1846 he removed to the then Territory of Wisconsin, and became a resident of Sheboygan. He at once took a foremost position at the territorial bar, in politics and in public affairs, which he has since maintained, during the many vicissitudes through which the state and the nation have passed.

In 1847 he was elected a member of the territorial legislature, and was an able and industrious member of that body. He introduced a bill looking to the abolition of capital punishment, the passage of which by the house of which he was a member, was regarded by Governor Dodge as popular authority for commuting the death sentence of David Bonham, a conspicuous character of territorial times, who was at the time in jail at Racine, awaiting execution for a murder which he had committed in Waukesha county. The warrant of commutation was carried by special messenger from Madison to Racine, and was handed to the sheriff of that county while he was preparing the culprit for the gallows, which had been already erected.

Mr. Hobart was elected to the state senate in 1848, the first legisla-

ture under the state government, and was zealous, laborious and influential in the enactment by that body of the beneficent legislation imposed by the new constitution, including the homestead exemption, the liberal franchise laws for foreigners, the civil rights of married women, and the state educational system, including the common schools, the State University and the State Historical Society. Serving the short term in the senate, he was elected in the autumn of the same year a member of the assembly, and at the ensuing session in the following January he was chosen speaker of that house. At this session he procured the passage of the act incorporating the Sheboygan & Fond du Lac Railroad Company, and on its subsequent organization, which occurred mainly by his efforts and management, he was appointed attorney for the board of directors. A few years afterward he removed to Calumet county, where he opened a law office, and aided in founding and the settlement of the town of Chilton, the county seat. He was elected a member of the assembly of 1859, where he secured the charter of a railroad to be constructed between Milwaukee and Green Bay. He was also elected in that year a member of the board of regents of the State University.

During these years of his residence in the state, his professional, business and political career was one of great activity. He was essentially a public spirited man. He was a democrat in partisan action, and habitually occupied a leading place in the councils of that party. Some of the most important political events of the territory and state, until the final democratic defeat and overthrow in 1859, were influenced to a marked degree by his labors and associations. This was notably and especially true of the incidents in political affairs occurring in the year 1853, by which the Barstow wing of the democracy secured ascendancy, which they maintained while the party continued in power.

Mr. Hobart was liberal and progressive in his political opinions, and he had no sympathy with the pro-slavery policy and instincts of the party to which he belonged. When the democratic rupture occurred between the Buchanan administration and Stephen A. Douglas, he therefore assumed a place with the friends of the latter statesman, in hostility to the audacious doctrine that slavery was legalized in all the national territories by virtue of the constitution, and that neither congress, nor the territorial legislatures nor new state governments, when formed, could legislate for its extinction.

Previous to this time, in 1850, and in 1856, he had been the candi-

date of the democratic party for member of congress in the northern district, but the circumstances at both periods were inauspicious, and his defeat was a foreordained event. In 1859 he was nominated, against his expressed desire and protest, by the democratic party for governor of the state. The democrats had elected a part of their candidates for state officers at the previous election in 1857, but their power had evidently been waning after that time. The anti-slavery excitement was extreme, and in the heat of controversy, the public mind did not distinguish between the views of individuals who might be candidates for office, and the unpopular issues precipitated by the national democratic administration, in the interest of the slavery propaganda, while the republican party, then newly organized, was strong and popular and had been uniformly successful in the elections throughout the northern and eastern states. He made a brilliant campaign, stumping the state in company with his opponent, the late Alexander W. Randall, but defeat was unavoidable, which he met with cheerfulness and complacency.

Following the election of 1860, and the resistance of the South to its declared results, and when the first events in the pro-slavery rebellion occurred, he was among the foremost of the patriotic millions who rallied with voice, pen and sword to the defense of the government, and in April, 1861, he raised a company of one hundred men in Calumet county, in response to the proclamation of President Lincoln calling for seventy-five thousand troops. He was elected captain of the company, and commissioned for the office by Governor A. W. Randall, on the 23d day of April. His company was assigned to the fourth Wisconsin infantry on the second call for troops, and he left the state with his regiment, July 5. His military service, like his professional and political life, was extremely active, and the limits of this sketch forbid more than a mention of its incidents in chronological order.

The first service of his regiment was in Maryland. In the fall of 1861 they crossed to the eastern shore of that state and drove back into Virginia a rebel force which had affected a lodgement there and was overawing the loyal inhabitants. On his return from this exhibition he was detailed for duty as judge-advocate of a court marshal sitting in Baltimore for the trial of officers, by order of General McClellan. In March, 1862, he was assigned with his command to the army of the Gulf, and embarked with that force for Ship Island. He participated in the movements which resulted in the capture of New Orleans, was at

the siege of Vicksburgh, at the burning of Grand Gulf, and the battle of Baton Rouge. He was promoted July 22, 1862, to be lieutenant-colonel of the twenty-first regiment, and was relieved from duty in the department of the Gulf to take command of that regiment, then in the army of the Cumberland, operating in Kentucky, under General Thomas. He took part in the laborious and hazardous campaigns which followed, including the march through Kentucky and Tennessee; the battles of Stone River and Hoosier's Gap; the subsequent advance upon Tullahoma; the crossing of the Tennessee river, September 11, 1863, and the encounter with the rebel enemy at Dry Gap. At the disastrous battle of Chickamauga, in which his regiment was actively engaged and fought with great bravery until the defeat became general, he was taken prisoner with a large number of other federal officers and men, and he was sent to Libby Prison, Richmond, Virginia, where he was confined. On the 9th of February, 1864, with one hundred and eight other officers, he made a successful attempt at escape from the rebel prison through a tunnel constructed from the prison basement under an adjoining street, with an exit through an empty tobacco warehouse opposite. The narrative of his imprisonment and escape, which has been given to the press, is one of the most thrilling prison episodes of the great war. On reporting within the Union lines he was furloughed for the purpose of visiting Wisconsin, where his reception was a splendid ovation from all ranks and classes of citizens. He met throngs of people at various points, and was called before a vast meeting in the assembly chamber at Madison, where the narrative of his experiences was listened to with excited interest. On returning to duty he was promoted, March 1, 1864, to the rank of colonel in his regiment, which he rejoined in the field, forming a part of Sherman's advance on Atlanta, and participated in the battles of Buzzard's Roost, Resaca, Dallas, New Hope Church, Kenesaw Mountain, Marietta, Chattahoochie, Peach Tree Creek, and the capture of Atlanta. After that event, which occurred September 2, 1864, he was assigned to the command of the first brigade, first division, fourteenth army corps, in Sherman's march to the sea. On the capture of Savannah he was brevetted brigadier-general, the only appointment to that rank made in his division, and on the recommendation of General Sherman he was appointed by President Lincoln to the full rank of brigadier-general and so confirmed by the senate. He was in command of his brigade during the march through the Carolinas, at the battles of

Averysboro and Bentonville, at the capture of Raleigh, and the march through Richmond, after its capture, to Washington, and the grand review of the two great armies at the close of the war. He was finally mustered out June 8, 1865, four years and two months after his enlistment, and at the close of a period of active service such as few officers in the volunteer army experienced.

During the war General Hobart had regarded himself as associated with the political element in Wisconsin recognized as the "war democracy." Upon his return from the army, in 1865, and before he had fully settled as to his future home and avocation, he was again nominated by the democrats for governor, and reluctantly assented to the use of his name for that purpose. There was no reaction, however, from the high excitement with which the elements of the war had inspired the public; platforms of peace and conciliation between the sections lately arrayed in armed strife were unacceptable, and his success as a candidate was not anticipated, or among the possibilities of the times.

In the fall of 1865 General Hobart took up his residence in Milwaukee, where he opened an office for the practice of law, and was appointed an agent of the United States treasury department. He was again elected in 1866 a member of the assembly, which commenced its session in January 1867, and of which he was a conspicuous and influential member, advocating and voting for the adoption of the fourteenth amendment to the constitution, introducing and securing the passage of the eight hour law, and introducing and advocating a bill repealing all laws which provided any causes for divorce except for marital infidelity. He was also the author of the law which was enacted at that session, forever prohibiting the consolidation of the Milwaukee & St. Paul and the Chicago & Northwestern railway systems. At the same session he procured the necessary legislation for the establishment of the Milwaukee High School. He subsequently opened an office in Washington as an attorney for the prosecution of claims against the government, and, on motion of the late Chief-Justice E. G. Ryan, was admitted to practice in the supreme court of the United States. In 1876 he was elected as an alderman from the second ward of the city of Milwaukee, and in 1878 was chosen president of the council. He is now a member of the Milwaukee board of trade and a trustee of the Milwaukee public library. In the latter capacity he has successfully instituted a system of book contributions among the citizens of Milwaukee which in a few years

will make the library one of the first as to size, variety and value in the country. General Hobart enjoys robust health, is of sanguine temperament, and possesses a nervous vigor and energy of character, with a tenacious firmness of purpose and an ample vitality, which give him great power in popular movements, and constitute him a native leader of social forces. In his earlier manhood these qualities rendered him an aggressive element in politics, in his profession and in business, and endowed him with a push and virility which marked his management of the various enterprises and public movements in which he engaged. He has a large and active mind, with an originality of thought, high analytical powers, and great clearness of statement, making him a splendid reasoner. As a public speaker he is marked by a full command of language, distinct but rapid articulation, plainness in demonstration, and strength in argument. He has little of the gifts of fancy and imagination which make the great orator, but as a rhetorician and advocate he has few or no superiors. He has recently been active in temperance and other social and municipal reforms in the city of Milwaukee, which has enlarged his field of usefulness, and elicited the approval of the best and most thoughtful classes of the people.

OMITTED FROM FOURTH CIRCUIT.

JOHN E. THOMAS, Sheboygan Falls, was born in Rensselaer county, New York, November 27, 1829. When four years of age the family removed to Livingston county, and after a short period to Genesee county in the same state. At the last named place of residence the young son commenced his education in the common schools. This course of instruction was cut short when the financial crash of 1837 fell upon the country, and like thousands of other cases, swept away the property of the family. But this misfortune did not crush out the spirit and hopes of the young man. Having at this time arrived at the age of fifteen, he had recourse to his own unaided resources, which consisted of a good common school education, a healthy, vigorous constitution, a good character, and a willingness to work if he could find employment. With commendable resolution he left home in quest of work. Looking about for a situation in whatever respectable business it might offer, he reached the city of Lockport, Niagara county, New York. After a few days' search he found employment with a merchant, and entered upon the battle of life. The duties of the situation he determined to fulfill to



Geo. E. Thomas

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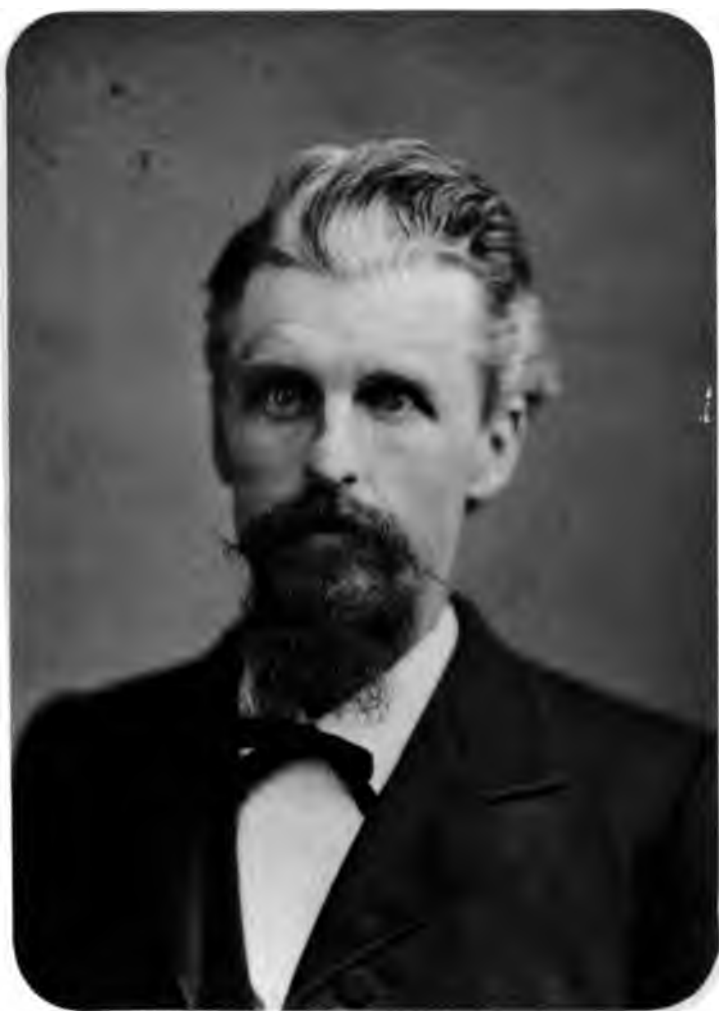
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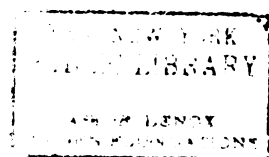
the satisfaction of his employer. That his success was complete is evident in the fact that during the four years he remained in the establishment, which was transacting a large business, he had honestly worked his way up from the lowest position to that of chief clerk or head salesman, and at the same time laid the foundation of thorough business attainments. And this was not the end of his efforts for self advancement; for during these four years of hard work in the store, he entered upon a course of private study, to which a portion of his earnings were devoted. To aid him in this task he wrote out his self imposed lessons on slips of paper, which were carried in his pockets for reference when memorizing and rehearsing them during the day. When he had gone as far in his studies as he well could, unaided, he called to his assistance a young educated German, and under this private tutor the higher branches were grappled with, and in addition to advancement made in the classics, a fair knowledge of the German language was acquired. Subsequently he studied medicine two years, with a view to its practice, which plan was finally abandoned to come west and engage in other avocations.

In the fall of 1849 he came to Wisconsin, remaining a short time at Southport, now Kenosha, and in September of that year locating at Sheboygan Falls, where he has since resided, and where in 1853 he married Miss Clara A. W. Cole. He engaged in business pursuits until 1856. when he commenced the study of law, and in 1858 was admitted to practice in the circuit court at Sheboygan, subsequently to the state supreme court, and to the United States district and circuit courts for Wisconsin. Having prepared himself by assiduous self culture and by thorough reading of law he was prepared to enter upon the practice of his chosen profession, which he did by locating his business in the city of Milwaukee, doing a lucrative business there from February 1858 to 1865, during which time his residence remained unchanged. Since the last named date his professional business has mainly been confined to the fourth judicial circuit. In 1862 he was called upon by the people with whom he had long associated, to serve them in responsible public duties, by electing him a member of assembly on the democratic ticket. At an extra session convened during his term of office, he served as chairman of the committee on the judiciary. In 1863 and 1864 he represented his district in the senate, and although belonging to the minority in that body, he was made chairman of the select committee to consider the liability of the state to sufferers by the Ozaukee county draft riot,

[illegible]



G. H. Marshall



of Vermont, at Burlington, and was graduated with honor in 1861. He immediately came to Wisconsin, and during the fall was principal of the high school at Sheboygan. Meantime he had commenced the study of the law, and continuing it in the office of Ellis & Jones, prominent attorneys of that city, he was, on June 9, 1862, admitted to the bar by Judge David Taylor. He went from Sheboygan to Galena, where he opened an office in August of that year. November 20, 1862, he was united in marriage to Miss Miriam H. Cutler, of Burlington, Vermont. She is a sister of H. C. Cutler, M.D., widely known as a successful physician and influential citizen of Dodgeville, in this state. At that time she was visiting at the residence of her cousin, Mrs. Bean, at Waukesha, where their marriage was celebrated by Bishop Kemper, in St. Matthias church. They have two children: Mary Florence, born July 26, 1865, and Francis Cutler, born March 26, 1867, both born in Galena. In July, 1867, owing to the poor health of his wife, he removed to Darlington, Wisconsin, where he has since remained in the active practice of his profession. In 1873 he determined to add the business of abstracting titles to his law practice; and he has now the only complete set of abstracts of real estate titles in La Fayette county. This has been made wholly under his personal supervision, and is a model of accuracy and completeness. In July, 1881, he formed a partnership with P. H. Conley, under the name of Marshall & Conley. He has paid little attention to politics, never having been a candidate for any political office. He was elected district attorney on the republican ticket in 1868, and county superintendent of schools in 1871. He is now city attorney of Darlington. While living at Galena, his Alma Mater conferred upon him the degree of A.M. He has always taken an active interest in literary pursuits, and is correspondent of the Philological Society of England; he is president of the Literary Club and of the Dramatic Association of Darlington.

WILLIAM S. HAMILTON. Very few of the early settlers of the lead mines are better known than Colonel William S. Hamilton. Few people at this day know that he commenced his career in Illinois as the aid on the staff of Governor Coles, with the rank of colonel, which he afterward always bore, and was subsequently a member of the state legislature from Sangamon county. We extract what E. B. Washburn says of him: A word as to William S. Hamilton may not be

amiss, as he was one of the earliest settlers of Illinois, and lived in the state during the administration of Governor Coles. He was appointed by the governor as his aid-de-camp, with the rank of colonel, soon after his installation into office. He was the son of Alexander Hamilton, and his name was William Stephen, not William Schuyler Hamilton, as written by Governor Coles. He was born in New York, August 4, 1797, and was admitted to the West Point military academy in 1814, and resigned in 1817. He left his home in New York, and settled at an early day in Sangamon county, Illinois. He was United States deputy surveyor of the public lands, and in that capacity surveyed the township in which Springfield now stands. In 1824 he was elected a member of the house of representatives from Sangamon county. In 1827 he emigrated from Illinois to the Fever river lead mines. He commenced mining for lead ore at a point soon known as Hamilton's Diggin's, now Wiota, in La Fayette county, Wisconsin. I knew Colonel Hamilton well from 1841 to 1849, when he emigrated to California. He occupied a prominent position in southwestern Wisconsin, and was a well known whig politician. He was a member of the house of representatives in the territorial legislature of Wisconsin in 1842 and 1843. He died in Sacramento, California, October 9, 1850. For nineteen years neither stone nor slab marked the spot where reposed his ashes. When the careless grave-digger threw his shovelfuls of earth on his coffin, little could he have thought he was covering the remains of a son of Alexander Hamilton, in my judgment the greatest of all American statesmen. Colonel Hamilton was brave, generous, hospitable, and humane, unusually quick in perception, and decided in action. In 1879 Cyrus Woodman, of Cambridge, Massachusetts, who was long a resident of Mineral Point, and a devoted friend of Colonel Hamilton, purchased a lot in the cemetery of Sacramento, and marked the grave with granite head and foot stones.

GEORGE W. JONES was born in Vincennes, Indiana, April 12, 1804. He was educated at the Transylvania University, Lexington, Kentucky, and entered upon the legal profession. He came west and located six miles from Dubuque in the early part of 1827. At the close of the Black Hawk war he was elected judge of the court of the western district of Michigan, now the state of Wisconsin, but there is no record of his having served in that capacity. Upon the organization in 1836 of the

Territory of Wisconsin he was elected delegate to congress. Mr. Jones received the appointment, by the United States government, of surveyor-general for the territory, and held the office, with one interruption, until 1848. In 1848 he was elected United States senator from Iowa, and was reelected for a second term ending in 1859. Under the administration of President Buchanan, General Jones was appointed minister to New Grenada, and as such resided at Bogota three years, returning in 1861, and now resides in Dubuque, retired from public life.

THOMAS PENDLETON BURNETT was born in Pittsylvania county, Virginia, September 3, 1800. He received an academic education, and after being admitted to the bar, settled and practiced his profession in Paris, Kentucky. He was appointed sub-Indian agent at Prairie du Chien, at which place he arrived in June, 1830, and commenced the practice of law. In January, 1835, he was appointed district attorney for the counties of Crawford, Iowa, Dubuque and Des Moines, but resigned the office in the following September. In October, 1835, he was elected a member of the territorial council of Michigan Territory, which was to meet at Green Bay. In 1836 he was appointed reporter to the supreme court of the territory of Wisconsin. In 1837 he settled in Grant county, from which he was elected member of the legislative assembly for that county in 1844, was a member of the first constitutional convention, and died during the session of that body on November 7, 1846.

JAMES H. KNOWLTON was born at Canandaigua, New York, August 22, 1813. He was self-educated. Coming to Wisconsin at the age of twenty-six he resided successively at Janesville, Mineral Point and Shullsburg. At the latter place he prepared for the bar and was admitted to practice, which he commenced at Shullsburg. In 1856 he removed to Janesville, practiced his profession until in 1861, when he changed his business to Chicago and his residence to Wheaton. He was probate judge, on its first organization, of the county of La Fayette; was a member of the assembly for the years of 1855 and 1856; was a presidential elector-at-large in 1856; after removing to Janesville he was again elected to the assembly in 1857. Judge Knowlton acquired his greatest distinction in this state as one of the attorneys on the defense with Jonathan E. Arnold in the Hubbell

impeachment trial before the senate in 1853. He was afflicted with the unfortunate habit of indulgence in intoxicating drinks, and had the peculiar faculty of discriminating between the adulterated and the pure. In a suit before him, as judge in St. Croix county, to recover for a bill for adulterated liquor, he charged the jury that pure liquor is a wholesome beverage and promotive of longevity, but no man could recover judgment in his court for a demand based on a sale of adulterated and poisonous liquors. In making his will in 1875, leaving about three thousand dollars, he added the following: I have labored too continuously for others, and neglected the collection of many demands justly due me. The result is evidenced by my estate. Sickness and disease have, the greater portion of my life, attended me with great fidelity and I have suffered much from pain. That will cease; when it does I urgently request that no prayer be made, and that no sermon be preached or delivered over my remains by anyone who professes to believe that there is an all-wise, all-powerful, and infinitely just Being who now is, and always has been, abundantly able to prevent human suffering and all wrong-doing, but who does nothing, and never has done anything, to stay or diminish either.

WILLIAM B. FELKER, Oshkosh, was born in the State of New York, in February, 1837; came to Wisconsin in 1847; studied law in Oshkosh with Judge E. Wheeler and C. W. Felker; was admitted to the bar at Waupun in 1840; practiced at Shawano four years, at Omro six years, in Oshkosh since that time in the firms of Finch & Felker four years, Felker & Cleveland four years, and alone all the rest of the time.

CHICAGO ATTORNEYS FORMERLY OF WISCONSIN.

CHARLES A. DIBBLE was born in Herkimer county, New York, in 1842. His father was in the lumber business; moved to Columbia county, in this state, in 1849, where Charles was reared and educated, mainly. He is essentially self made, and a man self made is generally well made, more likely to follow in the channel of his native inclinations, and more fully develop his inherent abilities, as he has done. When quite young he engaged in school teaching and continued in that occupation until the outbreak of the war, when he enlisted in the Twenty-ninth Wisconsin infantry—Colonel Charles R. Gill—and was sergeant in that regiment, the history of which is on the credit side. At the battle of Port Gibson, Mississippi, he was wounded, the result of which was the loss of his left leg below the knee. His valor and bravery were evidenced in his entire career as a soldier. When mustered out of the service he returned to Columbia county and reëngaged in school teaching there and in Fox Lake; thence to Markham Academy in Milwaukee, where he remained during the summer and fall of 1866, taking a partial course in a law class in addition to his academic studies. In the fall of that year he was elected clerk of the court of the ninth circuit, and was reëlected two successive terms. He made an efficient court clerk. During this time he read law under the direction of Israel Holmes, and was admitted to the bar in Dodge county, in the fall of 1871. He resigned the clerkship that fall and went to Chicago the day after the great fire, engaged in the practice of his profession, has been there since, and with as great a degree of success in all respects as any of the former Wisconsin lawyers, who have located in Chicago. He takes an interest in matters pertaining to soldiers; is judge advocate of the Veteran Union League, and Grand Army Post 28, and is a highly respected member of those organizations. He is a man of exemplary habits, and esteemed as a gentleman and citizen. In 1870 he married the daughter of Doctor Winter, formerly of Horicon, where he built a hotel, which bears his name; was surgeon of the Nineteenth Wisconsin infantry; now resides in Chicago, though engaged in the manufacture of mineral paint, at Iron Ridge, Wisconsin.

JAMES M. FLOWER, was born in Oswego county, New York, March 10, 1835. His parents moved to Wisconsin when he was still a child, and he received his education at the Wisconsin State University. After graduating he entered the Albany Law School, and while there was admitted to the bar in May 1859. On his return to Madison he became a member of the firm of Abbott, Gregory, Pinney and Flower, and when that firm dissolved, of the firm of Stevens, Flower and Morris. Wishing to devote himself exclusively to one branch of the profession, he moved to Chicago in January, 1873, and entered the firm of Tenneys, Flower and Abercrombie, now Flower, Remy and Gregory, a firm universally acknowledged to be composed of the most careful and successful commercial lawyers in the West. Mr. Flower is a man eminently qualified to inspire confidence as a lawyer; having a clear, logical mind, great energy, a cool and almost unerring judgment; and to these qualities adding a thorough knowledge of the law. His life may well serve as a stimulus to all young men striving for eminence in the profession, as to his own unaided efforts is due his success at the bar.

STEPHEN S. GREGORY, was born at Unadilla, Otsego county, New York, November 16, 1849, and is the eldest son of J. C. Gregory, of Madison, one of the leading lawyers of Wisconsin. He was educated at the University of Wisconsin, graduating in the classical course in 1870, with the degree of A.B., and from the law department in 1871 with the degree of I.L.B., and he has since received the degree of A.M. from his Alma Mater. After leaving college he continued the study of law in the office of Gregory and Pinney, at Madison, and having been admitted to the bar of the supreme court he commenced practice at Madison, where he was for a time in partnership with J. D. Gurnee. On July 1, 1874, Mr. Gregory became a resident of Chicago, where he formed a law partnership with Arthur H. Chetlain. He subsequently became, and now is, a member of the firm of Flower, Remy and Gregory, which is one of the most successful in Chicago. Mr. Gregory has shown especial talent in the trial of cases, and in difficult matters of pleading, and he attends to a great part of the litigated business of his firm. Mr. Gregory was married in 1879 to Miss Janet McIndoe Tappan, daughter of the late Captain Edward Tappan, of Madison, and granddaughter of the late Arthur Tappan, of New York.

ISRAEL HOLMES was born in Danube, Herkimer county, New York, January 21, 1828, and is the son of John and Alida Herkimer Holmes. Having been prepared in Fairfield Academy, he entered Union College, from which he graduated in 1849. Adopting law for a profession, he prepared for its duties in the state and national law school at Ballston Spa, New York, where he ranked as a proficient student, foreshadowing the success which has since been attained. In 1850 he was admitted to the bar at Schenectady, New York, after which he was for a short time in the office of Judge Ezra Graves, at Herkimer; he then taught school a few years, and was principal of Fairfield Academy, New York. He came to Wisconsin in 1854, and commenced the practice of law at Portage, in which he was alone some years, afterward becoming associated with G. C. Prentiss until 1871, at which time he removed to Chicago, when he became senior member of the firm of Holmes, Rich and Noble. While at Portage, Mr. Holmes was district attorney for Columbia county two terms, and has held no other office. During his professional career in Wisconsin Mr. Holmes came to be one of the first lawyers of the state, standing high as a conscientious and faithful counsellor, as an able and forcible advocate, and is one of those jurists who were conspicuous in illustrating the annals of the jurisprudence of the state, which are noteworthy among similar annals in this country. In Chicago, Mr. Holmes has found eminent success. His practice has taken in very important cases; among these may with propriety be mentioned the novel and notable case attracting wide attention at the time, where the wife of the artist Elkins sued a saloon keeper for twenty-five thousand dollars damages for selling liquor to her husband, including in the suit the owner of the building and his renting agents. As counsel for the owner of the building and the party through whom the lease came down, Mr. Holmes, after long and laborious trial, made an argument, in summing up, that was able and exhaustive, unsurpassed in the history of any such case in this country, and was so pronounced by the most competent judges who heard it. While residing in Wisconsin Mr. Holmes enjoyed the highest respect and esteem of his fellow citizens, and it is no less true that the same friendly sentiment toward him obtains in Chicago. Never seeking office or political prominence, his modest and retiring disposition is coupled with the demeanor of the true gentleman. Notwithstanding the press of duties pertaining to his profession, he does not fail to indulge his taste for

the better class of literature, and his estimable wife is noted in society for her high literary attainments and personal accomplishments.

LUMLEY INGLEDEW is a Wisconsin lawyer now in Chicago, and has been successful; has attained to it in a quiet and unostentatious way by his industry and energy. The truly successful man is one who makes the most of his abilities and opportunities when turned into the channel of his inclinations and native fitness and is faithful to himself and to his early formed purposes, which is true of him. He was born in Bradford, England, in 1837; his parents emigrated to Troy, Walworth county, Wisconsin, in 1845, and engaged in farming, where Lumley worked on the farm until sixteen years of age, when he set about obtaining an education; entered Milton College, and graduated in 1861, after which he read law in Janesville, with the now Judge H. S. Conger and Henry K. Whiton, and was admitted to the bar at Madison in 1863, and was immediately thereafter commissioned by President Lincoln commissary of subsistence with rank of captain, and was with the army of the Cumberland during the war, with the exception of nine months, when he was prisoner of war; part of the time in Charleston, South Carolina, where he was one of the six hundred Union officers placed by the confederate authorities under the fire of our own batteries during the siege and bombardment of that city, and remained so exposed for three months to protect the buildings. He was promoted by Lincoln to the rank of brevet major in the same branch of the service, making an honorable and creditable record; mustered out of the service in October, 1865, when he went to Chicago and took a course in bookkeeping, in Eastman's Business College, and was subsequently principal of bookkeeping and commercial law in that institution for eighteen months; when, in 1867, he engaged in the real estate and law business, and has been so engaged since. While in Janesville he was one of the originators and promoters of the Young Men's Literary Society, and was, as he now is, a man of excellent habits, and highly respected.

JOHN J. McCLELLAN. What there is of a man which is creditable and favorable is, as a rule, evidenced by what appears on the surface, and what the public, generally an unerring critic, sees and knows of his outward career; and, further, by what he accomplishes that is known and read of men—those who have to do with him in business or in

society. A man who is worthy of any considerable attention from the public, as identified with any legitimate calling, stands or falls upon his merits—not always, but generally true. A judge who knew John J. McClellan, the subject of this sketch, well, said of him: "He has an active, vigorous mind; an accurate and extensive knowledge of law; patient and persistent industry, and is the soul of honor." He has been successful—won success by his native ability, energy, integrity and faithfulness to those who entrust their interests to him. The purpose of this sketch is to show the principal steps of his career leading up to this result. He was born in Livingston, Columbia county, New York, September 5, 1833; his father, Samuel R. McClellan, a physician, is of Scotch descent, and his ancestors settled in Colerain, Massachusetts, in 1723; his mother's maiden name was Catherine Garner, of Dutch descent; her ancestors settled in Columbia county, New York, in 1793, a commingling of two sturdy and vigorous peoples, both characterized by intelligence and good common sense. In 1845 the family settled in what is now Kenosha county, Wisconsin, where the father practiced his profession, and improved a large farm, and, taking a deep interest in the political as well as material interests of the new commonwealth, was elected a member of the first constitutional convention, and subsequently of the state senate. John J. worked on the farm, attending school winters, until seventeen years of age, when he entered a school at Kenosha, where he remained two years, when he commenced the study of law, to make it his profession, in the office of E. W. Evans, then a prominent lawyer in Kenosha, late of the Chicago bar. In 1855 he entered the law department of the Albany University, graduated in 1856, was admitted to the bar and commenced practice in the fall of the same year in Oconto, in northern Wisconsin, and met with marked success. In the spring of 1857 he was elected district attorney, under a new county organization, and, by successive reelections, continued to hold the office until January, 1862, when he was appointed assistant attorney-general under James H. Howe, the attorney-general, and afterward under his successor, Winfield Smith, and was acknowledged by all parties to be an efficient and faithful officer in that capacity. In March, 1863, he resigned this office and moved to Racine, and resumed the practice of his profession. In May, 1864, he was appointed, by President Lincoln, assistant quartermaster of volunteers, with rank of captain, and placed in charge of Johnson's Island, Tallahassee, Florida, and other

places; remained in this service until 1866, leaving it with a clean balance sheet, and a record for faithful and honorable service. He then moved to Chicago and resumed practice, first taking charge of the legal affairs of the great dry goods house of J. V. Farwell & Company; subsequently formed a partnership with D. K. Tenney, and engaged mainly in the practice of commercial law, building up an extensive and lucrative business, which has continued to this day. He is now engaged in general practice, and is the senior member of the firm of McClellan, Tewksbury & Cummins, in Chicago. This is one of the most reliable and successful law firms in Chicago. In 1861 he married Julia G. Wheldon, of Racine. They have two children, a daughter about eighteen, and a son about fourteen years of age; a pleasant home and surroundings.

D. K. TENNEY was born at Plattsburg, New York, December 31, 1834, and removed with his parents to Ohio when less than a year old. At the age of four he was placed at school, where he soon developed a genius for orthography, for at the age of eight he accomplished the uncommon feat of spelling down one hundred and fifty pupils at a spelling match. His brothers, Horace and Henry, were publishing a newspaper at Elyria, three miles from his home, and he was placed with them, where he was kept at work three years, at the end of which time he could set a column a day. The brothers going west, he returned home and attended school again, until he was twelve years old, when he went to work on the Ohio Observer, at Hudson, where he remained two years, during which time he attended the preparatory department of the Western Reserve College four months in each year. He then came to Wisconsin, arriving, at the age of fifteen, at Madison, with a quarter of a dollar only in hand. Here he worked at the case for his brother Horace, who was publishing the Wisconsin Argus, setting type on Saturdays and vacations, and attended the State University. At the end of two years he went to Cleveland, Ohio, and worked as a journeyman printer in the office of the Plain Dealer. Returning to Madison he continued in the university to near the close of his sophomore year, when he left that institution, on account of disagreement with the faculty, because he manly refused to divulge the name of a fellow student who had been perpetrating a bit of mischief. His leaving was voluntary, and he thenceforth determined to seek fortune without rank or sheepskin. He then worked

as foreman in the office of the State Journal at Madison to earn the means to enable him to enter upon the study of the law, which, having accomplished, he read law one year with his brother Henry, at Portage, and afterward at Madison a year, acting during the time as deputy clerk of the circuit court to keep himself in funds. On December 11, 1855, he was admitted to the bar when he was less than twenty-one years of age. On the same day he entered into partnership with Thomas Hood, and started in without a dollar.

Judge Hood retiring from practice in 1856, Mr. Tenney took into partnership Charles T. Wakeley, and dissolved with him in 1860. The civil war coming on, Mr. Tenney was heart and soul for the Union cause, but was prevented by ill health from entering the army, as well as the care of two banks in which he had a large interest. Aside from his law practice he was engaged in several business enterprises, among which was the organization of the Northwestern Accident Insurance Company, in which he was a large stockholder. Although doing a good business at Madison, he determined, contrary to the advice of friends, to seek a wider field for his law practice, and went to Chicago, and associated himself with John J. McClellan in 1870. He met with immediate success; and his brother Henry left Madison also, and joined him. Soon after Mr. McClellan was deposed from the firm and James M. Flower took his place, and afterward the firm became Tenneys, Flower & Abercrombie. The firm is not rivaled by any other in Chicago, either in quantity, quality or income, and has reached a point where no further increase is desired. Henry W. Tenney retired from the firm in 1879, and the firm became Tenney, Flower & Cratty, the partners consisting of D. K. Tenney, J. M. Flower, T. Cratty and S. S. Gregory. They represented in Chicago many of the leading mercantile firms, and large corporations of Boston, New York and Chicago, and did a business which perhaps in the amount of money involved was never equaled by that of any firm at the Chicago bar. In 1882 Mr. Tenney retired from the practice at Chicago, and resumed his residence at Madison, Wisconsin.

In 1864 Mr. Tenney visited Cuba, and in 1873, and again in 1880 made an extended tour of Europe. In 1857 he married Miss Mary J. Marston, at Madison, and their children are a son and a daughter. Mr. Tenney has, evidently, been a hard worker, and relying upon himself alone, has achieved a success in life that few, with every means at command, accomplish. Through life, as we are informed, he has never been con-

scious of having willfully wronged any man, and his motto has steadfastly been "to make a dollar a day and spend only seventy-five cents,"—principles that, with fair ability and industry, will insure reasonable success to the life of any man. Mr. Tenney has never sought political preferment. In 1858, while he was president of the Sauk City Bank, he was elected to the office of alderman in Madison, and again in 1867 he was appointed by the governor upon a commission to revise and simplify the laws relating to the assessment and collection of taxes, to which subject he had paid considerable attention. Other than these two minor appointments, he has never held a public office nor desired to do so. When it is said further that the competition before the Chicago bar is greater and more trying than at the bar of any city in the Union, and when it is known that the subject of this sketch had, at the early age of forty-five, by his own unaided efforts, secured a practice and influence more commanding than that of any young man at that bar, it will at once be recognized that Daniel K. Tenney is no ordinary man.

EZRA G. VALENTINE is one of the most successful of the young lawyers who came to Chicago from Wisconsin. He is especially entitled to credit since he was surrounded by circumstances not the most favorable in the matter of his obtaining an education. The man who attains success, having unlimited opportunities and surrounded with the most favorable conditions, is not entitled to the same credit as one who is obliged to make the circumstances and submit to and contend with the conditions and make the most of such opportunities as he may have. Under the latter circumstances the young man, if he has the capacity to comprehend and measure himself, will make the best use of them he can, and turn his abilities and talents into the channel of his native inclinations and develop them to the fullest extent, and evolve in himself a true manhood if he be conscientious and true to himself. Judged from such a standpoint Ezra G. Valentine has been a successful man; has won success by his native ability, energy, industry, faithfulness to the interests of his clients, and strict integrity and unexceptionable habits; has devoted himself to early imbibed principles, an early formed purpose, and to his profession, earnestly and conscientiously, and has risen above the majority of young lawyers in the way of substantial success. He was born in Wyoming county, New York, in 1847; his father was a

farmer; left there, with his parents, when about nine years of age, and located on a farm in Green Lake county, Wisconsin; thence to Ripon in 1859, where he commenced preparation for a collegiate course under the tuition of the now President Merrill; from there to Beloit College in 1864, and was in the preparatory department one year, when he entered upon the classical course, and graduated in 1869, standing high in scholarship. He paid his own way in college by teaching in the preparatory department and elsewhere during vacations. After graduating he taught for a time in the deaf and dumb institute at Delavan; thence to Indianapolis, Indiana, where he taught and read law, having access to such libraries as that of General B. Harrison and others. In 1875 he came to Chicago; was admitted to the bar, and commenced practice in 1877, and has since been employed in several important cases. He successfully defended the officers and trustees of the Delavan deaf and dumb institute against charges of misdemeanors made by a former officer; the trial was a notable one, lasting three months; was associated with Lyman Trumbull in the Republic Fire Insurance cases, and others. These brief references to Mr. Valentine carry with them their own story. He is a genial and unpretentious gentleman, highly respected; a reliable attorney and counselor; a good citizen, and in good circumstances; a member of the Episcopal church, and is a self-made man in all respects.

ROBERT FORBES WINSLOW was one of the pioneers of Wisconsin. The name Winslow is widely known in the early and later annals of New England. It is among the old family names of England, where the family, as an historic one, originated. The ancestors of the Winslows in this country came to New England in the early part of the sixteenth century. Robert F. is descended from John Winslow, a brother of the first governor of Plymouth Colony, who married Mary Chilton, the first woman who landed from the May Flower. He was born in 1807; his father was Thomas Winslow, a native of Boston, Massachusetts, and his mother's maiden name was Mary Forbes, of the Island of Bermuda. The Winslows are a long-lived people; the subject of this mention, now past seventy-five, is in full mental and physical strength and vigor; he is a brother of Dr. Forbes Winslow, deceased, late of England, author of several medical works, notably of the juris-

prudence of insanity; also brother of the late Reverend Dr Octavius Winslow, of England, Baptist minister and author. Edward Winslow, deceased, also a brother, was private secretary of Lord Lyndhurst during the time he was Chancellor of England, and was afterwards Master in Lunacy. It is a family with a noteworthy history, many of its members having held high positions of state and others.

He received an academic education, read law with William Paxson Hallett, who was subsequently clerk of the supreme court of New York. He was admitted to the bar in New York city in 1840, where he practiced with success until 1850. During this time he was colonel in the militia, hence his title. He has hanging in his office to-day a commission as notary public, issued to him by Governor DeWitt Clinton, dated 1826, just before he reached his majority. He has held such a commission since in the three states of New York, Wisconsin and Illinois, continuously for fifty-five years, probably longer than any other man ever held the office in this country. In 1851 he came to Fond du Lac, landing first at Milwaukee, with a considerable amount of money and a number of land warrants; thence by boat to Green Bay and thence to Fond du Lac. Being a man of close observation he had an eye out for the main chance in the way of selecting lands on which to locate his warrants. The captain of the steamboat remarked to him, as they rounded the peninsula, that some day there would be a canal from the lake across to Sturgeon Bay, making a great saving in distance between Milwaukee and Green Bay. He comprehended the force of the suggestion and preëmpted by warrants every forty acres of the land between the head of the bay and the lake, where the canal would likely to be constructed. When he arrived at Fond du Lac, he engaged in practice, as attorney, and purchasing a farm near that city, on which his family resided, his preëmptions on the peninsula becoming known, and being solicited to do so, he disposed of three-quarters of his land at Sturgeon Bay to Governor Doty and others, at a large advance over what it cost. A company was shortly thereafter organized and a charter obtained from the legislature authorizing the company to construct a canal just where the Sturgeon Bay canal now is, Messrs. Winslow, Doty and others were named as corporators. The company was duly organized, but Mr. Winslow, his wife and oldest son having died, and also having lost very largely by fire, destroying his dwelling house and a large and valuable library, he became disheartened and in

1855 left the state, and after he left the company did nothing about the matter, and a new charter was obtained superseding that of Mr. Winslow's and a new company organized by which, aided by large grants of land from the United States government, the present canal has been constructed. This incident is mentioned to show that he may justly claim to be the father and originator, in a way, of that great enterprise. At that early day Mr. Winslow traveled over the state a good deal, by his own team, and made sundry investments in real estate. He remained at Fond du Lac until 1855, when he went to Chicago, and there engaged in the practice of law. He will be remembered by the residents in Wisconsin at the time of his residence in that state, especially in Milwaukee and Fond du Lac. He remained in Chicago until 1858 and thence re-removed to Princeton, Bureau county, and there engaged in the practice of his profession in partnership with Milton J. Peters, a well known real estate lawyer. In 1861, by request and by authority of the war department, he raised and drilled a regiment of infantry in that county, with the purpose of going to the front with it, but circumstances beyond his control were such that he was compelled to abandon his military plans, yet he sent the men he had so raised, and also three of his sons, to the war, who all served until its close; one of his sons died of wounds received in the war. In 1863 he went to Lacon, Marshall county, and there followed his profession until 1872, when he returned to Chicago, and has been there since, doing a first-class professional business.

He married, in 1828, Caroline McKeeby, of Dutchess county, New York, who died in Fond du Lac in 1854. They had nine children, seven of whom survive. He is a member of the second Baptist church, in Chicago. He is a gentleman of the old school, clothed with becoming dignity, without vanity; courteous and gentle, conscientious and unswerving in his fidelity to truth and uprightness; is a faithful and reliable attorney and counselor; systematic, accurate and methodical in preparing his cases, and has few equals in point of ability in presenting them to court or jury; is true to his clients, and esteemed by the members of his profession; held in high regard by all who know him as a citizen and gentleman. His life has been one of beneficent activity.

ATTORNEYS REMOVED TO DISTANT STATES.

FREDERICK W. PITKIN, Colorado. The bar and bench of Wisconsin has sent forth many names which have added character and honor to the profession, but none more so than the subject of this biography. Though for some years a resident of Colorado, the name of Frederick W. Pitkin is a familiar one throughout Wisconsin, and his administration as governor of the centennial state has proved of such a character as to inspire the confidence of the public in his ability to govern a great and growing state.

Governor Pitkin comes of New England stock, and is a descendant of the Pitkins and Griswolds of Connecticut—names that are familiar to readers of the early history of that state. He was born at Manchester, Connecticut, on August 31, 1837, and is now in his forty-fifth year. After a preparatory course for college, his education was entrusted to the faculty of Wesleyan University at Middleton, where he entered in 1855, and graduated with credit three years later. Pursuing his studies still farther, he entered upon a course at the Albany Law School, and after graduating at that institution with distinguished honor, started for the west to begin the practice of his profession, and located at Milwaukee, Wisconsin, in the year 1859. Commencing practice in that city Governor Pitkin subsequently became associated with other practitioners, at different periods. The firms with which he was connected were Adams & Pitkin, Pitkin & Davis, Carter, Pitkin & Davis, and Palmer, Hooker & Pitkin. While residing in Milwaukee Governor Pitkin was engaged in an extensive and lucrative practice, and enjoyed the reputation of high standing as a lawyer, and was universally esteemed as a citizen,—everybody liked Mr. Pitkin. While all the gentlemen associated with him in business in Milwaukee were lawyers of standing, those comprised in the last named firm are distinguished in the city and state; and to have been a member of their firm when they were engaged in general practice, was no small honor to any man.

His introduction to Colorado was as an invalid seeking the benefits of its climate for a system that had become enfeebled through long and close attention to his law practice. His visit to the far west was the result of advice, after a stay in the mountains of Switzerland, and another on the shores of Florida, had been made without effecting any





Frederick W. P. H.

1871

POST-EXPERIMENTAL

After the experiment, the subjects were interviewed about their experience. The subjects were asked to describe their feelings and thoughts during the experiment. The subjects were also asked to describe their experience with the different types of stimuli.

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change in his condition. Governor Pitkin arrived in Colorado in 1874, and, fully determined to give the climate the benefit of a thorough trial, he went to the southern portion of the state, where the pure bracing air soon gave him the relief he sought. For many months he lived in a tent, traveling from place to place, and venturing into higher altitudes as he became stronger and more invigorated. This mode of life was followed until 1877, by which time he was so far restored as to be able to take up his residence with his family in Ouray, in the San Juan mining country, though usually passing his winters in the northern part of the state.

His nomination for governor by the republicans in 1878 was a compliment as unexpected as it was gratifying. The southern portion of the state presented his name to the convention, and it met with unanimous approval. The campaign was a long and bitter one. Its close showed Governor Pitkin elected by a majority of nearly three thousand, in a total vote of about thirty thousand. This was almost double the majority ever given a republican candidate at previous elections. Following close upon his inaugural, Governor Pitkin found himself called upon to settle more perplexing questions than had ever fallen to the lot of any former executive. A long and bitter warfare between two of the railroad companies had been scarcely adjusted without loss to the state or its interests, before an outbreak among the Ute tribe of Indians, located on a reservation within the state, called for the greatest vigilance and care. In this emergency Governor Pitkin was not slow to take measures which would insure the entire safety of the people of his state. His record on this question is familiar to the readers of the stirring events of the times. Throughout the period when the border was threatened by the savages, down to the day when the new treaty with the Utes was signed at Washington, he remained an uncompromising advocate of the rights of the white people of the state, and did all that was in his power, both as the governor of the state, and by a personal visit to the authorities at Washington to secure the removal of the tribe from Colorado.

His reelection for a second term as governor, was a vigorous and hearty endorsement of his first administration, though not anxious to become burdened with the cares of the state for another two years, his party solicited that he take the nomination which was tendered in a manner more hearty and unanimous than two years previous. Although a national campaign, the contest of the democracy was concentrated against Governor Pitkin and the most strenuous efforts were made to

defeat him by the leaders of the opposition. His majority was nearly double that given to any other candidate on the ticket, and demonstrated the popular sentiment that existed in favor of his administration.

The reins of government in a new and growing state are not easy to manage. The increase of population and the extension of settlement into new sections are attended with difficulties that cannot be anticipated, but must be met and settled with promptness. Governor Pitkin is essentially the man for such a trust. He is familiar with every section of the state and can deal intelligently with questions affecting each. His knowledge of its various industries enables him to further such legislation as will enhance their interests. Believing that the foundation of good government is justice, virtue and the common good, he has endeavored to promote those views in other men, and entered upon his second term with the confidence of the people whose welfare is in his hands.

JOHN R. SHARPSTEIN, San Francisco, California, who for seventeen years was a member of the Wisconsin bar, was born May 3, 1823, in the town of Richmond, county of Ontario, State of New York. From five to twelve years of age he attended the common school of the district in which his parents lived. When he was twelve years of age his parents moved to Michigan and settled upon a farm in the town of Ray, county of Macomb, near the village of Romeo and about twenty-five or thirty miles from Detroit. There, with the exception of six months in 1843, during which he was a pupil in the Norwalk Seminary, of which the late Bishop Thompson was principal, the subject of this sketch resided until he was admitted to the bar. He was educated in the common schools, in a select school taught by A. S. Welch, now president of the Iowa Agricultural College, at the Norwalk Seminary of Ohio, and in what was then a branch of the Michigan State University located at Romeo. He was never graduated at any college. He read law at Romeo in the office of William T. Mitchell, late a circuit court judge of Michigan. In March, 1847, he was admitted to the bar of that state, and immediately thereafter went to Sheboygan, Wisconsin, where he met Judge Taylor, General Hobart, Judge Gorsline, General E. Fox Cook, Messrs. Elmell, Clinton, Hiller, Jennings, Howard and Williams, all of whom were his seniors at the bar, and by all of whom he was treated with marked kindness. He at first entered the office of General Cook, and after

remaining with him for a few months opened an office by himself. In the spring of 1848 Judge Taylor resigned the office of prosecuting attorney of that county, and upon his recommendation Mr. Sharpstein was appointed to fill the unexpired term. In the fall of 1847 the late A. G. Miller held a short term of court in Sheboygan, and Mr. Sharpstein's first appearance in a court of record was during that term. One year afterward the late Chief Justice A. W. Stow held a term of the state circuit court there, and Mr. Sharpstein, as prosecuting attorney and otherwise, had a fair share of the cases disposed of at that term. In the early part of 1849 he left Sheboygan and went to Southport, since known as Kenosha, to live. He at once opened a law office there, and in 1850 was elected prosecuting attorney of that county. In 1851 he was elected to the state senate, of which he was a member during the years of 1852 and 1853. In May of the latter year he was appointed, by President Pierce, attorney of the United States for the district of Wisconsin, and in the fall of that year he removed to Milwaukee. He held that office until the spring of 1857, when he resigned it. During his incumbency a fugitive slave, named Glover, was arrested by the United States marshal and lodged in the county jail to await an examination under the fugitive slave law. Glover was rescued by a large party of citizens who broke into the jail for that purpose. Several of the rescuers were indicted by the United States grand jury and three of them, including S. M. Booth, were tried and convicted. They were promptly discharged by the supreme court of the state on habeas corpus. The affair at the time caused considerable excitement. In the spring of 1856 Mr. Sharpstein became the proprietor of the Milwaukee News and retained the editorial control of it for a period of about six years. In 1857 he was appointed postmaster at Milwaukee by Mr. Buchanan, and held the office a little over one year, when his term ended by the refusal of the senate to confirm the nomination. In 1860 he was one of the delegates to the democratic national convention, which first assembled at Charleston and then adjourned to meet at Baltimore. He was then a firm supporter of Mr. Douglas, and looks back with as much satisfaction upon that event as he does upon any in his life. In the spring of 1862 he was appointed superintendent of schools in Milwaukee, and filled the office until he resigned it in order to take a seat in the assembly to which he was elected in the district composed at that time of the first and seventh wards. Soon after the adjournment of the legislature he be-

came associated with H. L. Palmer, with whom he remained about one year. In 1864 he left Milwaukee and went to San Francisco, where he has since lived and practiced law, with the exception of two years while he was judge of the twelfth district court in that city and the time which has intervened since he took his seat at the commencement of 1880 upon the supreme court bench of California.

He was appointed district judge by Governor Booth, since United States senator, to fill an unexpired term of two years which commenced January 1, 1874, and ended January 1, 1876. He was elected to his present position by the people of the state.

Soon after his admission to the bar he was married to his present wife, and they have two sons, both living in San Francisco. His only brother, who for many years lived and practiced law at Stevens Point, Wisconsin, has lived for the past fifteen years at Walla Walla, Washington territory, where he has a good practice in his profession. Judge Sharpstein has always been a firm believer in the soundness of the doctrines of the democratic party, and as a general rule has supported the nominees of that party, especially for president and vice-president of the United States.

CYRUS WOODMAN, Cambridge, was born in Buxton, Maine, in 1814; graduated at Bowdoin College in 1836; read law with Hubbard & Watts, in Boston, and was admitted to practice and opened an office in Boston in 1839. In the latter part of that year he was employed by The Boston and Western Land Company, owning lands in Illinois, Missouri and Wisconsin to superintend their interests, and he accordingly went west for that purpose. He resided in Illinois for a time, and in the year 1844 came to Wisconsin and located at Mineral Point. At this place he opened a law office in connection with C. C. Washburn, under the style of Washburn and Woodman. For several years the firm did a large business, which consisted more in entering land on time for settlers, and in general transactions, such as the early settlers required, than in the practice of law in the courts. By square dealing, the firm, both individually and jointly, at once established a reputation for reliability, fairness and integrity, which was never questioned or controverted. In their whole career, extending through many years, no instance is known to have occurred of overreaching or of un-

conscionable methods of practice. The same traits of character have adhered to them through life, and they seem to have been inherent; their record is clear and unsullied, and will bear the strictest scrutiny. The business of the firm prospered, and, finally dissolving, the members of it diverged into devious channels. Mr. Washburn continued to reside in Wisconsin, and occupied positions of public trust to the great satisfaction of the people. Mr. Woodman, having, by diligent attention to business, acquired a competency, visited Europe with his wife and children, and remained there several years for educational purposes. One of the sons, now a lawyer, was placed at school at Robert College on the Bosphorus, of which Doctor Cyrus Hamlin was president. On his return from Europe in 1859, Mr. Woodman returned to Mineral Point, but in 1863 removed to Cambridge, Massachusetts, where he still resides among the cultivated and refined society of that city. It can, with propriety, be said, that Mr. Woodman is a perfect model of a business man, having system and regularity in every department. By his ability, education and natural disposition, he is qualified and is competent, in the highest sense to occupy, with credit to himself and benefit to his country, any place or position in the government, either state or national. But he never has sought, and probably would not accept, political promotion, having absolutely and persistently refused it while a resident of Wisconsin.

JOHN M. THURSTON, Omaha, Nebraska. Of the many members of the bar who have left Wisconsin and gone west for business, there are none, perhaps, who went so young and so soon arrived to distinction as John M. Thurston. He is a native New Englander, having been born in Montpelier, Vermont, August 21, 1847. At the early age of seven years his father's family came to Wisconsin, making Madison their first stopping place, and three years later they went to Beaver Dam for permanent location. Here young Thurston grew up. His father, a man of limited means, could not afford him the facilities for a high education, but young Thurston managed to overcome these obstacles by working on the farm in the summer and pursuing his studies during the winter. Thus he was enabled to complete a collegiate course, graduating from Wayland University at the age of twenty. Immediately entering upon the study of law with E. P. Smith, now of the

Milwaukee bar, he was admitted to practice May 21, 1869, at Portage, by Judge Alva Stewart. This was when he was only twenty-one years of age. In October of the same year he sought newer fields for professional labor, and located in Omaha, since which he has risen to the front rank of his profession, and has filled various positions of honor and public trust. In April, 1872, he was elected a member of the city council, and served two years, during which time he was its acting president, and was also police justice of the city by appointment, for portions of the same period, and in 1874 he was elected city attorney, and while holding the office was elected a member of the legislature. While serving in that body he was chairman of the committee on the judiciary, and acting speaker of the house.

Having been continued in the office of city attorney until April, 1877, he resigned the position to accept that of assistant attorney of the Union Pacific Railway Company, which situation he now holds. In the fall of 1875 he was nominated by unanimous vote of the republican convention as candidate for judge of the third judicial district of the state, and was defeated by a small majority only, and solely on account of his youth. Of this nomination a townsman of his says: This is by far the most important judicial district in the state, and the fact that Mr. Thurston was the unanimous choice of the convention that placed him in nomination, furnishes substantial and striking evidence that he enjoys the popular confidence and esteem in a most eminent degree. Mr. Thurston is still a very young man, only twenty-eight, but the political history of this progressive state does not present a parallel to his remarkably successful public career. Unlike many other promising young men, who from time to time shoot up in our political horizon like sky rockets and come down like so many sticks, Mr. Thurston has, since his advent among us, six years ago, made steady progress, rising from one position of public trust and responsibility to another, until now he stands before the people a candidate for the position so ably filled by Chief Justice Lake. Coming to Nebraska a stranger, without money and without political backing, John M. Thurston has by persevering industry and devotion to duty risen from comparative obscurity to enviable eminence. His best recommendation is his public record. As justice of the county courts, councilman, city attorney, and legislator, Mr. Thurston has served the people of Omaha and Douglas county with ability and fidelity. While liable to error like all other men Mr.



John M. Hurst

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to determine what consumers want and what problems they are trying to solve. Once a need is identified, the next step is to develop a concept for a product that addresses that need.

2. The second step is to create a prototype of the product. This involves designing and building a physical model of the product that can be used to test and refine the concept. The prototype should be made of a material that is easy to work with and allows for quick changes and iterations.

3. The third step is to conduct a feasibility study. This involves evaluating the technical, financial, and market viability of the product. The study should consider the costs of production, the potential for sales, and the competitive landscape. Once the feasibility study is complete, the next step is to develop a business plan for the product.

4. The fourth step is to create a marketing plan for the product. This involves identifying the target market, developing a unique selling proposition, and determining the best channels for reaching the target market. The marketing plan should also include a timeline for launching the product and a budget for marketing expenses.

5. The fifth and final step is to launch the product. This involves manufacturing the product, distributing it to the target market, and monitoring its performance. Once the product is launched, the creator should continue to monitor the market and make adjustments as needed to ensure the product's success.

Thurston's reputation for probity has never been called in question. Always an ardent republican, Mr. Thurston has gradually been drawn into politics, taking an active and conspicuous part in all party movements. The state convention of 1878 was accounted the bitterest and most strongly contested of any ever held in the state, and of this he was a member. Of the part he took in its proceedings a contemporary says:

"Judge Thurston was the ruling spirit of the convention. His answer to the charge that he was a Union Pacific attorney, carefully prepared and splendidly enunciated, was as fine a thing as the eloquence of Nebraska has ever produced. And not only in that introduction to his speech in the contest, but in the management of the whole contest, from beginning to end, he displayed a fertility of resource and executive ability that, added to his power as a speaker, carried everything before him. Even after the Douglas county contest had been decided the mantle did not fall from his shoulders. Against every move of the opposition was Thurston, tall, commanding, attaching the unconscious respect and friendliness of all—and to him belongs more than to any other man the glory of the glorious victory of true republicanism." Mr. Thurston possesses the rare gift of ready public speaking, and it may not be too much to say that he is one of the acknowledged leading orators in the state. He has stumped the state in every local and national campaign for several years, and is recognized as the man who has organized victory for the republican party in Nebraska. During the contest for nomination of president in 1880, Mr. Thurston was one of the leaders of the Grant element in Nebraska. Though defeated in his efforts to carry the state for Grant, he headed a large delegation of Nebraska's most prominent politicians who went to Chicago to work for the nomination of the general. At the great Grant mass-meeting in Dearborn Park on the night before the national convention, he was one of the speakers. In its report of that meeting an Omaha paper says: "Thurston followed Fred Douglas and General Logan, and he roused heartier cheers than either when he said: The safety of a republican government is in the intelligence of the people, and I know the intelligence of this people must make them believe that the man, who in the hour of the nation's peril saved its life, will never, never seek to strangle its liberty." There was a thunderburst of applause which rolled over

the whole assemblage, to the very outskirts, and the following portions of his speech were greeted with cheers long continued.

Though disappointed in his first choice for president, Mr. Thurston took an active and energetic part in the election following, canvassing his own and other states with signal success. At the Nebraska state convention he was nominated by acclamation as one of the presidential electors, and was afterward selected as electoral messenger to carry the vote to Washington. In 1879 the state appropriated the sum of ten thousand dollars for the criminal prosecution of Olive and others, in what was known over the country as the great Man Burner case, which was the most celebrated criminal case ever tried in the state, and Mr. Thurston was employed by the governor to assist the attorney-general in the management of the cause in behalf of the state. In the arguments of counsel he was accorded the honor of making the closing address to the jury. At the time, it was pronounced by the press as one of the greatest efforts of the kind ever made in the state. A leading paper said: "Mr. Thurston addressed them in that clear tone, concise logic and faultless language, for which he is growing so rapidly famous throughout the state." His two and a half hours' address closed with the following eloquent peroration, which is here given to show the inimitable style of the orator: "They say there are mitigating circumstances that surround this crime and make it less than murder. Was it a mitigating circumstance that he dragged his victim from his home — from the fond embraces of a loving wife, from the sweet voices of his little children, bound, chained and shackled? Was it in mitigation that he bore him away from the habitations of mankind into a lonely cañon, into the silence of the night, the solitude and darkness? Was it in mitigation that no loving hands were there to sustain him in that awful hour of need, no loving voice to whisper words of consolation or of hope, no loving eyes to look once more into his own with deathless love, no children's voices whispering a last goodbye? Was it in mitigation that no time was given him to send a message back to those behind — a single word they might remember in the after years? Was it in mitigation that no single instant was his own in which to breathe a prayer, in which to reconcile his soul to God, before he passed from out the shadows into his awful presence? Had I the painter's brush I'd paint a justice for humanity — a justice for civilization — a justice for a liberty-loving people — a justice for the nineteenth century, the glorious age in



which we live. I'd paint that justice as a living, breathing, glowing woman, with rosy cheeks and gentle brow, and eyes that could look in sorrow not in anger on a sinful world. Within her bosom there should be a human heart that beat and throbbed and thrilled with human sympathy, human pity and human love. Her ears, that listened to the evidence should be attuned to the sweet voices of her children calling 'Mother.' Her lips, that spoke the law and pronounced the judgment should be fresh from singing them lullaby songs; and the hands and arms that held the scales and wielded the sword should be used to dandle little babies on her knee, and holding them to her mother breast. And do you think that this Mother Justice would be pitying to those who stilled her children's voices in the silence of the grave? Would she have love and sympathy for those who hushed the lullaby upon her lips, and bathed her bosom in the blood of her babes? Would she be merciful to those who crucified her sons in chains? — those sons who

"Not being Christs, died with eyes turned away
And no last words to say."

I have stood — you have stood — we all have stood by the side of those we loved, and watched them go down into the mystic shadows of the vale of death. We have wiped with loving hands from the agonized brow the death-damp gathered there, and held the cooling cup to the burning lips; and we have held the helpless hands, and looking in the anxious eyes, have whispered words of hope and trust and faith; and then, when all was over, we have gently closed their eyes, and on their bosoms crossed their lifeless hands and left them with their God. But this man died with no loving hands upon his brow — no loving wife to hold the cup unto his burning lips — no loving eyes to look into his own — no loving voice to whisper words of hope. He died in the wilderness, without a friend. Facing his death as heroes face it, without a word, without a moan he died. And there, throughout the watches of that awful night, his burned and blackened body cried aloud for vengeance. Oh, gentlemen, when you are asked to look upon the tears of those who love this man — upon the little children gathered at his side, I ask you to think of those whose hearts have bled, in silence and alone — whose eyes have wept in bitterness and despair until the fountain-head of tears is dry and burning. And remember that while you need not answer to the clamor of the people, the prejudice of the press, or the passions of your own hearts, you must answer for the justness of

your verdict as you will answer in that last great day to your consciences and to your God."

When he finished, the whole assemblage, men and women, were in tears. What gave this trial great prominence was that Olive was a very wealthy stock breeder, and he had hosts of powerful friends in the state; he was convicted of murder, and sentenced to state's prison for life. So strong was the feeling in all the state in the contest that the military was called out to protect the prosecution at the trial. To be opposed to Olive required nerve, and he had powerful counsel to defend him. Mr. Thurston was married in 1872 to Miss Mattie L. Poland, formerly of Viroqua and Madison, Wisconsin, at which latter place she completed her education at the State University. They have had three sons, of whom only one survives. Mr. Thurston is a member of the masonic fraternity, and is 33 years of age. A better record, for so young a man, as has been narrated in this sketch, is rarely to be found.

JOHN C. STARKWEATHER, Washington, was born at Cooperstown, Otsego county, New York, May 11, 1830, and his parents were George A. and Elizabeth G. Starkweather. His education was in the military school of Major Duff, Cooperstown; at Gilbertsville Academy, and at Union College, Schenectady. He studied law with his father at Cooperstown and with Finch & Lynde, Milwaukee, Wisconsin; was admitted to the circuit court at Milwaukee, February 11, 1851, and commenced practice in that city alone; afterward was in partnership with William H. Wright, and subsequently with his father under the firm of G. A. & J. C. Starkweather, and he has been in practice alone in Washington, District of Columbia, since 1876.

Distinguished in public and in his professional life, General Starkweather commenced serving the community as foreman of Supply Hose Company, Milwaukee; he next entered upon a military career in the state militia, and was captain of the Milwaukee Light Guard from April 10, 1857, to April 17, 1861, at which latter date he was commissioned colonel of the First Wisconsin Regiment of volunteers, raised for three months' service on the first call for troops in the late war of the rebellion. Having served out the term of enlistment the regiment reorganized for three years' service, and Colonel Starkweather was recommissioned colonel of it, August 21, 1861, and participated in twenty-seven battles and skirmishes; was wounded in his left leg in the battle of Chicka-

mauga, September 20, 1863, at the same time had an attack of hemorrhage of the lungs, yet remained on duty, notwithstanding, throughout that and the next day. It is notable that no part of his command ever met with any disaster while on detached or other duty. His name was placed on the army roll of honor for good conduct and bravery. He afterward was member of the court-martial that tried General W. A. Hammond, surgeon-general United States army. On July 17, 1863, Colonel Starkweather was appointed brigadier-general of volunteers, and resigned May 11, 1865, when the war was virtually ended. After returning home from the war he made his residence at Oconomowoc, Wisconsin, upon his farm, and was appointed postmaster, which office he held during his residence at that place. He was president of the Waukesha County Agricultural Society when residing in that county. It would be pleasing to speak at length of the military career of General Starkweather, but it is not within the scope of this work to go into details of the war record of those represented in it. It may be, however, sufficient to say that the general was the first to respond in Wisconsin to his country's call in the hour of approaching danger, and led the first troops Wisconsin sent to the defense of the government in its day of peril, and he was constantly in active service until the close of the eventful struggle that followed. His duties were constantly at the front, and the manner in which they were performed was conspicuous and meritorious. That he has been prosperous as a lawyer may be inferred from the fact that, when a youthful practitioner, he obtained a flattering share of law business alongside of the able members of the Milwaukee bar, and has met with success in his profession in five years' practice in the city of Washington, where acknowledged ability alone is presumed to find recognition and demand in the legal profession.

JOHN A. BENTLEY, Denver, Colorado, is a native of the State of New York, having been born in the town of Kingsbury, Washington county, January 27, 1836. His parents were Cornelius and Mary Brayton Bentley. They were in independent circumstances, highly respected in the community in which they lived, and took special care to bring up their children to habits of industry and morality. John A. passed his early days on his father's farm and attending the public schools and an academy in the neighborhood of his native place. Having completed his education he commenced the study of the law with

the late Judge E. H. Rosenkrans of the supreme court of New York and Orange Ferris, both of Glens Falls, Warren county, New York, continued it later with U. G. Paris, of Sandy Hill, Washington county, New York, and graduated at the Albany Law School in 1857, which admitted him to practice in the courts of the State of New York. During the prosecution of his law studies Mr. Bentley devoted a portion of his time in the commendable and culturing employment of teaching school to enable him to defray his expenses.

Immediately upon his admission to the bar he established himself in his profession at Glens Falls, where he remained until March, 1859, when he came to Wisconsin, settling at first in Manitowoc; he practiced there one year, when he transferred his business to Sheboygan, where has been his place of residence to the present time. His practice has been alone excepting for three brief periods of partnership with the late Judge W. R. Gorsline, G. W. Werden and W. H. Seaman, all at Sheboygan.

In 1864 Mr. Bentley was elected to the state senate, and served with acceptance. Subsequently he was president of the Sheboygan and Fond du Lac railroad, in which capacity he was active manager two years. In 1876 he was tendered the position of United States commissioner of pensions, which he accepted and at once entered upon the duties of the office. He found a vast deal of unfinished and complicated work on his hands, and gave his entire time, night and day, to putting the affairs of the office in order, completing which he addressed himself to needed reforms in the outside workings of the bureau. In doing this he met with violent opposition from professional pension agents, inasmuch as he brought about the system of pensioners dealing directly with the departments. His recommendation was likewise adopted of concentrating the government pension agencies. It may not be saying too much to add that the state is reasonably proud of the impartial, independent and successful manner in which Commissioner Bentley has performed the responsible duties of the high office he so occupied. And all this for less remuneration than his regular law business would naturally afford him. Mr. Bentley is still young, in the best of health, and has years of continued usefulness before him.

Since this sketch was prepared Mr. Bentley, having served out his term of commissioner of pensions, relinquished the office and has settled down in the practice of law in Denver, Colorado.

ENOCH TOTTEN, Washington, D. C., was born in Chester, Wayne county, Ohio, March 23, 1836. Commencing his education in the common schools of that period, it was continued in academies and completed at Franklin College, New Athens, Ohio. For a start out in the world he came to Waukesha, Wisconsin, in 1855, where he commenced the study of law in 1856, and subsequently went to Milwaukee and continued it in the office of Levi Hubbell. In 1858 he was admitted to the bar for Milwaukee circuit court, and to that of the supreme court at Madison in 1861. His practice was commenced in Milwaukee in 1860, in partnership with Captain Irving M. Bean, the present collector of internal revenue for the first district of Wisconsin. At the breaking out of the war of the rebellion both entered the military service as officers in the Fifth Wisconsin infantry. On the close of his term of service Major Totten was mustered out, August 2, 1864, as major of his regiment. As a soldier he has specially distinguished himself for gallantry in the field, having participated in twenty-eight battles of the army of the Potomac. In May, 1864, he was in command of his regiment in the battles of the Wilderness; was several times wounded; had a horse shot under him on May 5, 1864, and on May 10 received a most painful wound, crippling his right hand. His regiment was one of twelve which, under General Emory Upton, formed the assaulting column that captured the enemy's works at Spottsylvania Court House. In the fall of 1864 he returned to his home in Milwaukee, and shortly afterward received the nomination of the republican party for the office of district attorney. He was popular and much admired, and made a "splendid run," but was not elected, owing to the great preponderance of democratic voters at that time in Milwaukee. Soon after Major Totten removed to the city of Washington, and commenced the practice of his profession, where he has continued it to the present time, with increasing success and distinction. In 1866 he married Miss Mary H. Howe, the accomplished daughter of the present postmaster-general T. O. Howe. In 1868 he was retained by E. M. Stanton, then secretary of war, in the celebrated McCardle case, and the brief filed by him was regarded as a very superior one, and stamped him as a lawyer of marked ability. He also argued the celebrated case of Kilbourn against Thompson, in the supreme court of the United States, in which the practice of imprisoning witnesses for contempt when refusing to answer questions put by investigating committees of either house of congress

was declared unconstitutional and overturned. At the present time he is attorney for the Pennsylvania Railway Company and other large corporations. The causes that he engages in are always prepared with extreme care, and he is a stern and bold fighter in the courts. Outside of them Colonel Totten is a warm-hearted, companionable gentleman, whose personal traits are extremely attractive; is generous to a fault, and has hosts of admiring friends, who predict for him a distinguished future.

CHARLES W. ROBY, Portland, Oregon, was born at Stoughton, Wisconsin, April 20, 1850, and was educated at Stoughton and at the Wisconsin State University. Completing the course in the law department of the university in 1872, he received the degree of LL.B., and was admitted to the bar. After practicing about a year in Madison he removed to Winnebago county, where, in 1874, he was made county superintendent of schools. The next year he removed to La Crosse and engaged in teaching for two years or more. In 1877 he commenced the practice of law at La Crosse, and also held the office of city superintendent of schools during the years of 1877, 1878 and 1879, but in 1880 he again devoted himself exclusively to the law. At the age of nine years Mr. Roby was thrown entirely upon his own resources for a living. He began teaching school at the age of sixteen years, by which means he not only succeeded in securing a liberal education, but has aided in the support of his mother. The dean of the law faculty, now a distinguished judge, observes: "Mr. Roby is a young man of fine attainments, good abilities and unblemished character." In 1880 Mr. Roby went to Portland, Oregon, where he has taken up his residence.

CHAMPION S. CHASE, Omaha, Nebraska, was born in Cornish, New Hampshire. In early life he worked on a farm, but subsequently received a liberal education at the Kimball Union Institution at Meriden, New Hampshire, and commenced life for himself as teacher of the academy at Amsterdam, New York. He studied law at Buffalo with Barker & Sill, and was admitted to the bar at Canandaigua, in the same state, in 1847. Like many other young men, he went west, and commenced the practice of law at Racine, Wisconsin, about the first of May 1848. On motion of Daniel Webster he was admitted to the



C. W. Roby.

REMINISCENCES OF GREAT ADVOCATES OF THE
WISCONSIN BAR.

While it may be truly claimed that the bar of this state comprises many members of acknowledged learning and ability, as well as many who are distinguished more especially as powerful and successful advocates, it may not be invidious to mention some of those who have stood preëminent in the profession, particularly where they have acquired a national reputation. Few lawyers have ran a judicial career in this country, if, indeed, in any other, whose efforts in the courts have ranked with those of Edward G. Ryan, Matthew H. Carpenter, Jonathan E. Arnold, Abram D. Smith, and George B. Smith. There are others of eminence who are worthy of mention, did space permit. But all of those named have ended their race, and it may therefore be safe to sum up their traits of character, and allude to their professional and public achievements, without seeming to be unjust or partial.

Much of Mr. Ryan's power as an advocate was due to the heat and glow of passion into which he uniformly precipitated himself when addressing a court or a jury in a case which had deeply interested his feelings. He was always a forcible and interesting speaker; but his flow of language was never so clear, his perceptions were never so acute, his imagination was never so vivid, as when his passions were excited by his interest in the case on trial, or the subject of his argument. Some of his political addresses were characterized by the highest eloquence and the most forcible rhetoric, because he was an impassioned politician, and he always spoke, when he made political speeches, in a blaze of enthusiasm or of indignation. In many of the lawsuits in which his great arguments occurred, his earnestness, his zeal and power, were stimulated by his personal feelings. This was notably the case as to the part taken by him in the Hubbell impeachment, in the Booth-Cook prosecution, and in the Noonan-Wilson libel suit. But he always became deeply interested in cases which he tried; and his force, acuteness and eloquence as an advocate were superior to those of any other member of the Wisconsin bar.

An analysis of the style of Matt. H. Carpenter as an advocate is hardly necessary to those who have heard him so recently in his splendid political addresses, for he always argued his cases in politics as

closely and as logically as he did his cases at law. One of the most marked effects which he ever produced in a court of justice was at the trial of Capt. Charles A. Perry, at Janesville, in 1866, for shooting one Jack Shay at Elkhorn, just at the close of the war. Shay had been a member of Capt. Perry's company, in the Third regiment of Wisconsin cavalry volunteers, and the testimony on the trial showed him to have been an insubordinate, brawling and reckless member of the company, abandoned in his habits, and a dangerous character, and that he had continuously during a large portion of his term of service threatened to shoot Capt. Perry when his time should be out. He had been discharged from the service, and had gone to Elkhorn, the home of Capt. Perry, having no ostensible business or errand there, but saying to different parties while on the way that he "was going to Elkhorn to shoot Capt. Perry." Witnesses testified that Capt. Perry had heard that Shay had arrived in town, and taking a station on the street where Shay was likely to pass, Perry shot him as he appeared, claiming that the killing was necessarily done in self-defense. Mr. Carpenter arose after the trial had lasted several days to argue the case for the defense to the jury. He began the argument as no advocate ever before began one. Said he: Gentlemen of the jury, whatever may be the result of this trial to my client, the defendant here,— whatever may be your verdict as to him, I congratulate you and all the peaceable citizens of this state *that Jack Shay is dead!* He stamped his foot, and threw all the earnestness and dramatic power of which he was capable into this exclamation, and then made a deliberate pause. It had almost taken away the breath of the members of the jury, and electrified the audience. As the full force of his words was comprehended by his auditors, he proceeded to describe the character of Shay again as it had appeared in the testimony, and when he had concluded but few differed from the opinion which he had expressed. He succeeded in procuring a disagreement of the jury, and the ultimate discharge of Capt. Perry on his own recognition, the case standing in that condition to this day. But Mr. Carpenter's oratory was not usually of this dramatic description. He was essentially a pleasing speaker. His voice was music. It was intoned and modulated with exquisite adaptedness to the occasion, the language and the sentiment, and he rarely shocked good taste, or ruffled the enjoyment of his auditors. His first appearance in the supreme court at Washington was an era at that bar. Imagination and fancy, anima-

tion and eloquence, had long been banished from that forum; but he made them again familiar, and the old judges hung delighted upon the tones of his silvery voice and the honied accent with which he enunciated the dry propositions of the law. For some years afterward an announcement that "Mr. Carpenter, of Wisconsin, is arguing a case," was sufficient to empty the offices in the capital of their clerks and attendants, and if congress was in session at the time, senators and members rushed to the supreme court room to hear the new orator from the West.

It has been said of both Mr. Ryan and Mr. Carpenter that they lacked aptness in appreciating the simplest and strongest points of their cases. They both appeared to disdain the easy and elementary propositions upon which often the best side of their cases rested, and they sought profounder depths of principle and recondite features of the suit for the basis of argument and demonstration. For this reason it has been charged that they lost cases which they might have won, because they abandoned common, tenable grounds which anybody could see, and labored to build up artificial defenses. They spied out minor corners of advantage, and odd incidents of the case, upon which they built and piled up elaborate structures of logic or of sophistry, splendid, massive and beautiful, but not sufficient in law for the purposes of their creation. It is also said that in some such cases which these distinguished men tried, and in which they were successful, the court gave them judgment, not on the elaborate, factitious grounds and fanciful premises where their arguments were laid, but on a few primary principles lying in each instance at the very threshold of the case, but never presented by the counsel. This trait of their professional character was based on pride of intellect, on a vanity in their powers of comprehension and thought,—the arms with which they entered upon the battles, the assaults and the defenses of professional warfare. They disdained a victory gained with all the advantage of strength, position and equipment. Those triumphs were alone valuable in their eyes which were the result of argument, of logic, of eloquence; of their mental armament, their skill and valor. This rendered them unsafe as counsellors, and impaired their usefulness to the numbers who thronged to their sides for professional aid.

They both also had weaknesses of which the greatest lawyers are free. Mr. Ryan's tempestuous sensibilities and impulsive passions

often led him into needless wrangles with the courts, with his clients and with other counsel, rupturing his professional relations, and resulting in his abandonment of cases when they were half tried, and for a long period of years he became an entire alien from some courts of the state. Mr. Carpenter, while capable of intense application, while his labors in some cases were immense and arduous, suffered from a lamentable mental infirmity; he often became ineffably weary of his cases, his clients, his round of professional duty, his channels of thought and study; it all became to him monotonous, irksome and intolerable; he sought novelty and recreation, new cases, new faces, new intellectual occupation; and when he returned to some old case to bring it to trial, his distaste for it had grown into carelessness and weariness, which required an effort to overcome.

Mr. Carpenter's war speeches, from the earliest opening of hostilities to the close of the rebellion, were all splendid and eloquent; they were ablaze with the fires of patriotism, thrilling in their appeals, and were animated by a zeal and earnestness such as he seldom displayed in his legal arguments or his other political addresses. He had been a democrat, and he was the leader and gave the impulse to the movement of war democrats in the state. Mr. Ryan and Mr. Carpenter were law partners for a few months in the year 1857, but they soon disagreed, quarreled and separated, and they had no friendly feeling for each other afterward. Mr. Ryan's opinions in relation to war questions were very conservative, and he condemned many of the war measures and plans for prosecuting the war. Ill-natured observers suggested that Mr. Carpenter's Union zeal and his brilliant advocacy of war measures were stimulated quite as much by his dislike of Mr. Ryan and his determination to be on the side opposite to his rival, as by patriotism and public spirit; but this was never asserted by those who were capable of appreciating the man, or by those who had any sympathy with the patriotic sentiments he avowed.

Jonathan E. Arnold was a much less forcible orator in both substance and manner than either Mr. Carpenter or Mr. Ryan. His style was carefully elaborated. His most eloquent passages were industriously prepared, were polished to the last degree of luster, and were committed literally to memory; but his art and animation in their delivery were such that they had all the appearance of inspiration, and of having been suggested by the previous train of thought, from excitement of the mind

and the passions, and from the impulses of the time and the occasion. His arguments were of great strength, because they were so clear, so closely welded, and so free from flaws, from seams and imperfections. As a logician he was superior to either Mr. Ryan or Mr. Carpenter. Pride of intellect did not lead him, as it did them, to despise the first principles of law and the first testimony as to facts, when he entered upon a case, for the sake of abstruse and sublimated principles upon which it might be argued and determined. He never neglected or threw away an obvious advantage, and he was as well satisfied to win a case on an easy and obvious point as he was to reach it after toilsome mental endeavor, in high-flown regions of speculation and argument.

Mr. Arnold had a thin and husky voice, as if his vocal-organs had been impaired by over-exhaustion, dissipation or disease; but it was quite powerful, and could be heard far away in vast crowds. He modulated it with great skill. It had a certain power and penetration, and it had a magnetic effect on large and sympathetic audiences. His gesticulation was animated and graceful, and he possessed forensic dignity, with exquisite tact in discovering the approachable sides of juries, crowds, witnesses, and his companions in social intercourse.

He had no vein of humor in his mind, which was crystalline in its lucidity and like steel in its fibre and texture. He had an exquisite sensitiveness and dread of absurdity which was almost a disease in its manifestation. He could not endure rough edges in argument, or mal-construction of ideas and language. This trait of mental character rendered his logic more perfect. He was the first to detect an awkwardness or contradiction which it might contain; or, rather, it led him to construct his argument without awkwardness, weak spots or inconsistency in detail and arrangement. He was slight in figure, and he lacked mental as he was without physical robustitude; but he was lithe and sinewy in his body and in his intellect. He was adroit and skillful in the use of every mental and moral power which he possessed. He was a charming gentleman in his every-day demeanor, in his social intercourse, at the festive board, and in professional life, and he was quick to take offense where the personal or professional amenities were violated. One of the most remarkable scenes which ever occurred in a court-room in this state was produced by this cause. In one of the innumerable lawsuits in which the late John Roesbeck was concerned, J. H. Paine was his counsel and Mr. Arnold was employed to assist in

the trial of the case, the other side being represented by A. D. Smith. It appeared that Roesbeck's case was without merits, and at the stage of the trial where this fact became evident, Mr. Smith, probably half or more than half in badinage, assumed a high moral tone, and delivered to Mr. Paine and Mr. Arnold a pompous and unctuous homily on the immorality of advising a client who had no case to go into court, putting him to expense and loss, and making him ridiculous, for the sake of the professional profits and fees which they were to receive. Mr. Arnold did not at all enter into the humorous phase of the address, but reserved his reply till he had finished the argument which followed that of Mr. Smith. He then turned, and looking Mr. Smith full in the face, referred to the lesson which had been delivered. "But," said he, "I have arrived at that period of life and at that rank in my profession when I am not to be taught lessons in law by a jack at all trades, nor moral honesty by a religious hypocrite, nor pecuniary integrity by a branded and recorded bankrupt." This savage invective had but a few grains of truth for its foundation. Mr. Smith had studied both medicine and theology before adopting the law as a profession, and this was what was meant by the allusion to the variety of his pursuits. He was an active church member, but was not conspicuous for unworldliness or superior sanctity in professional and week-day affairs, and he had been compelled, in consequence of some unfortunate business enterprises, to take the benefit of an insolvent act. Upon these slender circumstances Mr. Arnold had hung the well-rounded and studied phrases in his strain of splendid and eloquent vituperation.

Mr. Arnold possessed extraordinary skill in the cross-examination of witnesses. His mental adroitness in an encounter with an intelligent and cautious witness was one of the wonders of the bar, and it has probably never been equaled by any of his professional associates or successors. He seemed to know all the devious ways of human thought, and he searched and sounded them with unerring sagacity. Stupid and untrained witnesses were but the playthings of his skill. In a difficult case, eliciting all the testimony that would help his client, and none that would be damaging, he was a master. He trod as carefully, as delicately and as safely among the snares and pitfalls of hostile, equivocal or experimental testimony, as less gifted lawyers would upon the solid ground of known and admitted truth. In his political addresses Mr. Arnold was the most effective speaker of his time in the state.

He showed his greatness as an orator, and his depth of feeling, and a pathetic disappointment of heart to the greatest extent during those years when the whig party, of which he was a devoted member, was passing through the scenes of its dissolution. As long ago as 1850, there was a great disposition on the part of the anti-slavery whigs of Wisconsin, which comprised nearly the whole number, to amalgamate with the free-soil party, and to blend their forces in support of the same candidate. In that year a whig meeting was called at the old court house in Milwaukee to determine whether they would coalesce with the free-soilers in the support of a candidate for congress. Rufus King and other politic whigs made specious and plausible arguments in favor of that course. Mr. Arnold resisted it with all his power and eloquence. He said that he would not assimilate with the new party; he would not consent to the proposed coalition. He paid a most eloquent tribute to the whig party, and to whig principles, and declared that he would surrender neither the one nor the other; that he preferred defeat and party destruction to such a course. He said that if the ship must go down he preferred that it should go down with all its colors flying, and quoted with thrilling and impressive effect, Doctor Holmes' lines to the Ironsides:

Nail to the mast her holy flag,
And spread each threadbare sail;
Then give her to the God of Storms,
The lightning and the gale.

In 1852 Mr. Arnold was a delegate from Wisconsin to the whig national convention at Baltimore, the last national convention of that party. He advocated the nomination of Daniel Webster for president, but was unsuccessful, General Winfield Scott receiving the votes of a majority of the Wisconsin delegation, and of the convention, but this result was not reached till after fifty-three ballots had been taken. Mr. Arnold was extremely disappointed at the defeat of Webster, and he refused to say that he was satisfied with General Scott as a candidate. But the whigs at Milwaukee hoped that he would acquire a better state of feeling, and they called a meeting at the old city hall, now the municipal court room, to ratify the nomination. Mr. Arnold was one of the speakers, as he always was at whig meetings, and he gave what he termed "an account of his stewardship," as a delegate representing Wisconsin at the whig convention. He recited the history of the part he had taken as one of the Wisconsin delegation, a portion of whom,

with him, had supported Webster. He then paid to Henry Clay, who had died but a short time before, a magnificent tribute, full of pathos and eloquence. He eulogized Clay as a statesman, an orator and a patriot, and spoke in most feeling and affecting terms of the loss which the whig party and the country had suffered in his death. He then eulogized Webster, and his language was still more elevated and splendid in describing all which Webster would have been as president, the consummate product of American statesmanship at the head of the American government. Mr. Arnold had never so stirred a Milwaukee audience. The crowds who thronged the hall were thrilled by the magnetism of his speech and by the overwhelming pathos of the occasion, as it had been wrought to a grand climax by the accomplished speaker—the death of one of the most illustrious whig statesmen, and the defeat and overthrow of the other in the national convention of his party. In a voice, almost of agony, Mr. Arnold exclaimed: “In the late convention at Baltimore I voted for Mr. Webster for president fifty-three times; were the balloting still in progress I should be voting for him still! I now leave it for some gentleman with more enthusiasm than I possess to do justice to the merits of your candidate, General Scott.”

This was the abrupt and overwhelming conclusion of the speech. Not one word of approval or praise of the candidate; not a word to give an impulse to the campaign. The whig politicians, who but a few moments before had cheered till their voices split, and had thrown their hats to the arched ceiling of the city hall, as he had delivered his highly wrought eulogies of Clay and Webster, were struck as if by collapse. Wet blankets, a shower of ice, are inadequate to illustrate the effect produced. The local whig campaign did not recover from the set-back during the summer,—lagged, without animation, till the election, and closed disastrously in the city and state.

Mr. Arnold defended Judge Levi Hubbell in the impeachment trial, before the state senate in 1853, and Governor William A. Barstow in the quo warranto proceedings in the supreme court, prosecuted by Coles Bashford, who claimed the office of governor in 1856. He acted with the democratic party after the dissolution of the whig party, until his death.

The late A. D. Smith was a lawyer and advocate, more resembling Matt H. Carpenter than either Ryan or Arnold, with whom he was often

arrayed as an associate or an opponent in the trial of causes, until he was elected to the supreme bench in 1852. He had a mind of a similar character, without Ryan's passionate force and energy, and without Arnold's clearness and wonderful fineness of texture, but very comprehensive, broad, enlarged, and capable of severe and highly sustained effort. He had an agreeable voice, a sympathetic manner, and ample powers of expression. His medical education rendered him the most accomplished master of medical jurisprudence at the Wisconsin bar, and contributed greatly to the skill and success which marked his trial of capital cases, suits for medical malpractice, and for damages on account of bodily injuries. He was also a great political orator, and he wielded a marked influence and power over popular audiences. He was an anti-slavery democrat from the start, and during the period of his political activity, assailed the whig party in the most eloquent and indignant style, because Henry Clay, its idol and leader, was a slaveholder, and because under the whig administration of Fillmore, the slavery compromise measures, including the fugitive slave law, were enacted. In 1852, at a democratic meeting in the old court house in Milwaukee, he elaborated this argument with great skill and power. He depicted the atrocities of which the fugitive slave law might be the cause if executed, argued that it was unconstitutional and monstrous, and concluded his splendid harangue as follows: "This is the first fruit and offspring of the whig administration of Millard Fillmore, and I pray the Almighty Lord to strike its womb with barrenness, that no more like it may come after it."

Of George B. Smith it may be said that he was one of the best of men, one of the truest of friends, a clear, consistent and patriotic politician, learned in the law, and gifted with rare powers of oratory. But he was not as great as a lawyer as he was as a man, though he was a great lawyer. The whole man was capacious; he was large in all his traits and characteristics, a full pattern of man, good in every walk of business or duty, and in every varied way which he trod in life. He went to Madison when barely of age. He was ambitious from the start, and aspired to high position, and to the first social and professional rank, which he reached long before middle age. He was a radical democrat in politics, and owing to the fact that the party to which he belonged was for nearly the entire generation during which he lived in a minority in the state, he never enjoyed the high political rewards to which he was entitled by his ability, his political zeal, his party services, and his unde-

niable fitness for any position in the administration or judicial departments of the state government. Like Matt H. Carpenter, he died more than a decade before expectancy had placed a period to his career, or the order of nature as to the completeness of life had been filled, and when he might fairly have looked forward to many years of activity and usefulness. In conversation with a friend, in 1855, while he was attorney-general, he said: "I settled in Madison in 1845, at the age of twenty-two years, after having been admitted to the bar. I then made a mark which I determined to reach. I said to myself that within ten years I would either prosecute or defend a man on trial for murder, then regarded as the highest task which a lawyer could undertake, and would be district attorney of Dane county. The ten years have just elapsed. I was district attorney of Dane county within a year from the time I have described, and I served in that office six years; I have been attorney in four murder trials; I am now attorney-general of the state." He spoke without vanity or ostentation, apparently as if simply to point a moral from his own experience, and to show that high aims and earnest endeavor, sustained by integrity and industry, will in the main, reap their just reward.

CHIEF JUSTICE RYAN AND SENATOR CARPENTER CONTRASTED.

In a memorial address Mr. Winfield Smith says:

Our bar has, within the last few months, lost from its number those two members who may by common consent be said to have reached the highest rank and to have borne the highest honors in the profession. Probably at any time within the past fifteen years the question, what two lawyers in the state had upon the whole attained the highest rank, would have been answered in the same way by every one of us. For, although men may have greatly differed in their estimate of certain characteristics of the lawyers, although there might have been wide divergence of views whether these two men were among their fellows the wisest counselors or the most successful advocates, there could be no doubt that in those qualities that upon the whole confer distinction, Senator Carpenter and Chief Justice Ryan stood preëminent.

Unlike as they were, it is curious to observe how many points of resemblance united them. Each had a singular love and reverence for

his profession, and thirsted for thoroughness as well as success in the pursuit of that profession. Each had studied the principles of the law, and each was well informed, not only in respect to those principles, but in respect to the details of its practice. Each enjoyed the study, not only of those principles, but of the literature of his profession, and each would have thought it unworthy of himself to approach the argument of an important case without at least believing that he possessed a philosophic comprehension of the grounds upon which he sought success, as well as a considerable familiarity with the authorities supporting him. Both possessed that clearness of thought which is the parent of lucidity of style. Each had that mastery of the English language which made his discourse, upon a subject never so dry, interesting to cultivated listeners. Both were heard always with pleasure, and seldom without instruction. The style of their speech was unlike. Mr. Carpenter, in particular, rarely resorted to metaphor, but reveled in wit; while Mr. Ryan illustrated his grandest thoughts and most striking periods with imagery that added brilliancy to his finished sentences; but he rarely departed from the seriousness of his subject. He was naturally severe, and when in his opinion condemnation was demanded, his sarcasm or invective was mighty, and to its victim was terrible. But the senator was the happy possessor of a hearty, overflowing good nature, which would not permit him to be harsh. He was charitable even in ridicule. His keen sense of the ludicrous found frequent expression, but so softened by a kindly temper as to play jocosely about its object, amusing all and angering none.

No one can recall Mr. Carpenter's forensic displays without recurring to that jovial and happy humor, that spirit of fun which overflowed in bright and sparkling wit, adding a charm to every discourse, as it enlivened the tedium of every trial. In whatever respect he may be said to have failed, I think it must be fairly conceded that he was successful in every *bon mot*. The English of Mr. Carpenter was simple, and was admirable and effective on account of its Saxon simplicity. The style of Mr. Ryan most exacted admiration when it was grand, majestic, and embellished with those Corinthian beauties of oratory which were agreeable to his classic taste and education. Each illustrated his earnest regard for his profession in the addresses it was his pride to deliver to young men embarking in the pursuit of the law; and they alike habitually repeated the noble maxims and lofty sentiments which

ever inspire those most distinguished in our profession, and which alone raise it above pure drudgery. They were ambitious, and both attained high honors in their profession, as well as in the kindred field of politics; yet neither was a successful politician in the higher or lower signification of the term. Each was, to a certain extent, a law unto himself in his mental as in his physical and moral habits.

CHARACTERISTICS OF CHIEF JUSTICE CHARLES DUNN.

Mr. William Hull says of him: As a lawyer, Judge Dunn ranked as one of the best. As a judge he was honest and as impartial as a man of his temperament could possibly be. A good pleader himself he held us all to the strict technicalities of the common law practice, which then prevailed, and although at times prone to give way to the violence of his personal feelings, he was generally liked and respected by the members of the bar in his district and the territory. He could never forget his dignity on the bench; on the road traveling from court to court, at the stopping places for the night, and during the sessions of the courts, he was, with his friends, at all times courteous and a gentleman; to those whom he did not like he could and did occasionally preserve a different course. This trait in the judge's character can only be accounted for by premising that, like all other descendants from the first families of Virginia, the Dunns claimed to have the royal blood of Powhatan flowing in his veins, through his daughter, the historical, abused Pocahontas. In all places and at all times he never put off his dignity. One instance of this ruling trait in the judge will bear to relate. Game of all kinds was very plentiful in those early days, and deer hunting was a common pastime. After the fall term of the courts had terminated, on one occasion the judge, his brother Frank, a henchman of Frank's, Abe Fields, a gentleman now prominent in an adjoining state, and Mr. Hull, of La Crosse, were in camp on the Kickapoo river, near Wayne's mill. The judge, for some cause, did not, as had been observed on the trip, take much interest in the unnamed gentleman. The second day of the hunt, the judge, a true sportsman, had killed a magnificent buck, and it had been brought into camp. The deer was hung up for dressing. The judge, with coat off, sleeves rolled up, and knife in hand had commenced his work. After a few cuts with the knife had been made, the gentleman wishing to make some remark to the judge, spoke loudly,

Dunn!"

As quick as a flash Judge Dunn stopped his work, turned facing the gentleman, and with his piercing black eyes flashing lightning, responded,

" Judge Dunn ! if you please, sir."

After this explosion there was silence in that camp for awhile.

ELOQUENCE OF JUDGE BYRON PAINE.

The late Judge Byron Paine, of the Wisconsin supreme court, was one of the ablest writers that the state ever produced, and like Chief Justice Ryan, he at times enriched his judicial opinions with elaborate and highly sustained rhetoric, adorned with the finest flowers of the fancy and the imagination. In an early railroad case in the supreme court the decision was written by Justice Paine, in which he said : Railroads are the great public highways of the world, along which the gigantic currents of trade and travel continuously pour,—highways compared with which the most magnificent highways of antiquity dwindle into insignificance. They are the most marvelous inventions of modern times. They have done more to develop the wealth and resources, to stimulate the industry, reward the labor and promote the general prosperity of the country than any other, and perhaps, than all other, mere physical causes combined. There is probably not a man, woman or child whose interest or comfort has not been in some degree subserved by them. They bring to our doors the productions of the earth. They enable us to anticipate and protract the seasons. They enable the inhabitants of each clime to enjoy the pleasures and luxuries of all. They scatter the productions of the press and literature broadcast through the country with amazing rapidity. There is scarcely a want, wish, or aspiration of the human heart which they do not in some measure tend to gratify. They promote the pleasures of social life and of friendship. They bring the skilled physician swiftly from a distance to attend the sick and the wounded, and enable the absent friend to be present at the bedside of the dying. They have more than realized the fabulous conception of the eastern imagination, which pictured the genie as transporting an inhabited palace from the Atlantic coast, and with marvelous swiftness, depositing it on the shores that are washed by the Pacific seas. In war they transport the armies and supplies of the government with the greatest celerity, and carry forward, as it were, on the wings of the wind, relief and comfort to those who are stretched bleeding and wounded on the field of battle.

BAR ASSOCIATIONS.

STATE BAR ASSOCIATION.

The members of the bar of the western district of Wisconsin held a meeting in the United States court-room at Madison, January 29, 1877, for the purpose of forming a west Wisconsin bar association, but it was finally determined to change the plan and form a state bar association, and preliminary measures were taken to that end by the appointment of a committee to submit to a subsequent meeting a constitution and by-laws as a basis of organization. Chief Justice E. G. Ryan was made chairman and W. F. Vilas secretary of the committee.

On January 9, 1878, the second meeting was held in the supreme court room, at which Chief Justice E. G. Ryan, as chairman of the committee on organization of a state bar association, made an elaborate address.

A constitution to govern a state bar association was adopted, the object of which is "to maintain the honor and dignity and to increase the usefulness and influence of the profession of the law." Moses M. Strong was chosen president, a vice-president for each of the thirteen judicial circuits, E. E. Bryant, secretary; J. H. Carpenter, treasurer; and an executive committee of three, of which J. W. Cary was made the chairman. M. M. Strong, on taking the chair as president, delivered an appropriate address, which, together with that of Judge Ryan, is recorded in the books of the association.

The constitution is signed by three hundred and thirty-two attorneys of different parts of the state.

On February 20, 1878, the third meeting of the association was held in the United States court-room at Madison. At this meeting a resolution was adopted, that the association is in favor of the strict enforcement of the laws of the state regulating the admission of attorneys. A report was submitted by the committee that had been appointed for the purpose to report the terms on which law publishers would furnish the Wisconsin Reports, with the view of obtaining them at a cheaper rate than heretofore. The movement in this matter finally resulted, after much negotiation and discussion, in Callaghan and Company, of Chicago, entering into an agreement to furnish them at the rate of one dollar and twenty-four cents the volume, for ten years to the members of the bar of this state.

At this meeting the subject also came up relative to the recommendation of candidates to be supported for the two additional associate judges of the supreme court, which a recent law provided to be chosen at the ensuing spring election. Upon this question there arose much discussion and motions made, the whole resulting in no action having been taken.

On June 16, 1881, the fourth meeting was holden in the assembly chamber at Madison. The officers of the association were reelected. The president made an elaborate address, in which he presented a list of all the attorneys in the state, past and present, together with biographies of the deceased members so far as had been obtained. By this list there are now resident in the state, in and out of practice, 1,349 members, 1,147 non-residents, and 481 deceased. A committee was appointed to publish this list, biographies, address of the president, and proceedings of this meeting of the association, for distribution among members of the bar at the cost price of the publication. A banquet closed the proceedings of the occasion.

It may be worthy of mention that this meeting was thinly attended, the causes supposed to be on account of the length of time since the previous meeting, that there was no matter of special interest to be brought before the association, and the ill feeling that was engendered at the last meeting in the discussion relative to nominating or recommending candidates for the two new associate justices.

THE MILWAUKEE BAR ASSOCIATION.

This association was organized June 11, 1858, with Jonathan E. Arnold for president, Levi Hubbell vice president, O. H. Waldo treasurer, and J. B. D. Coggs well secretary. Mr. Arnold continued president until his death in June, 1869, and Mr. Coggs well secretary until 1866, when he removed from the state, and there was a secretary pro tempore until October, 1869, at which time new officers were elected, by which William Pitt Lynde was made president, O. H. Waldo vice president, J. R. Brigham treasurer, and James G. Flanders secretary. J. G. Flanders was secretary until 1878, when Burton Hanson was elected, and still holds the office. A. R. R. Butter was elected president in 1878, James G. Jenkins vice-president, and J. R. Brigham treasurer. The officers elected in 1881 were A. R. R. Butter president, J. G. Jenkins vice-president, J. R. Brigham treasurer, and Burton Hanson, secretary.

This association has been in existence a longer period of time than

any like association in the state. Its roll of membership, both past and present, comprises the best legal talent of the city. The meetings of the association have been somewhat irregular and chiefly confined to memorial occasions. In the way of resolutions and eulogies the fraternity usually does ample justice to a deceased brother whose life has been worthy of commemoration. The association also takes cognizance of the professional misconduct of its members. The latest instance of the kind was in the case of John J. Orton who had been accused of making a pleading in a case in which he was defendant, which the judge of the court refused to be allowed to be placed on file, and subsequently, for the act, disbarred him from practicing in the courts. Mr. Orton was arraigned before the Bar Association, of which he was a member, but no charges were formulated against him. At several meetings, however, the matter was warmly discussed, yet no action was taken. As the case was before the courts the matter was, by common consent, permitted to go over to await judicial decision. On appeal to the supreme court, the ruling of the court below was set aside. This apparently ended the case for the time being, and ended its consideration likewise, with the Bar Association. Jonathan E. Arnold was for many years president of the association. After his death A. R. R. Butler was elected to and still occupies that position. The annual dues are fixed at three dollars per member.

BROWN COUNTY BAR ASSOCIATION.

This association was organized on April 4, 1857. A constitution was adopted and H. S. Baird was chosen president, and E. H. Ellis, secretary. Mr. Baird continued to be its president until a brief period before his death, when J. C. Neville was chosen to the office, which he holds to the present date. There are about thirty members embraced in the association.

DANE COUNTY LEGAL ASSOCIATION.

This association adopted a constitution and elected officers, August 1, 1869: Thomas Hood, president; J. B. Baltzell, vice-president; F. H. Firman, secretary; J. H. Carpenter, treasurer. February 8, 1879, J. H. Carpenter became president; F. J. Lamb, treasurer; C. N. Gregory, secretary, and are the officers to the present time, January 1882. The meetings of the association have been chiefly devoted to adopting a fee bill and taking action on the disease of Judge Levi P. Vilas, George B. Smith, and Chief Justice Edward G. Ryan.

ROCK COUNTY BAR ASSOCIATION.

This association was organized in 1879, with A. A. Jackson, president; M. M. Phelps, treasurer, and A. W. Baldwin, secretary; and the same officers continue to the present time, 1882.

THE LAW DEPARTMENT OF THE STATE UNIVERSITY.

The University Law School has done much toward raising the standard of legal acquirements in this state. Few law students, if any, in Wisconsin, now undertake to enter upon the duties of the profession without a course of instruction in the law department of the university. Without the thorough training had in this school, or one equally as efficient, a young practitioner can scarcely be well equipped to enter upon competition with those who have enjoyed its advantages. The professors in this school have been, from first to last, eminent in the profession. They seem to have taken a pride in the advancement and resulting acquirements of their classes. Such legal lights as Hopkins, Paine, Cole, Lyon, Orton, Cassoday, the younger Vilas, Carpenter, Spooner, Pinney, Sloan, are jurists who would impart dignity and tone to any institution of the kind in the country, in profoundness in law, and in elevation of character. This department of the university was organized in January, 1857, and E. G. Ryan and T. O. Howe appointed its professors; yet no course of instruction was undertaken at the time, nor for the ten succeeding years, as there were no funds to support it. In 1868, however, the school was placed on a working basis, and a yearly course of instruction permanently established. The term was opened with twelve students, and with Orsamus Cole, Byron Paine, J. H. Carpenter, and W. F. Vilas, professors.

The established course was to be completed in one year. In 1869 H. S. Orton was added to the number of professors and became dean of the faculty. At the session of the legislature for 1870 an enactment provided that certificates of graduation in the law classes, entitled graduates to admission to the supreme court and all other courts of the state without examination. In 1871 W. P. Lyon was appointed professor in place of Byron Paine; P. L. Spooner in 1871 and became dean; H. S. Orton resigned in 1873, and I. C. Sloan was appointed; in 1876 S. U. Pinney and J. B. Cassoday, and in 1878 R. Bunn and C. Gapen were added. Honorary degrees of LL.D. have been conferred upon Russell Z. Mason, president of Lawrence University in 1866; Harlow S. Orton in

1869; Luther S. Dixon in 1869; Orsamus Cole in 1869; Byron Paine in 1869; William Penn Lyon in 1872; Lyman C. Draper in 1872; C. C. Washburn in 1873; E. G. Ryan in 1873; J. H. Carpenter in 1876; J. B. Cassoday, 1881. To enter this law department, students, who are not college graduates, must be twenty-one years of age, and to be graduated must have studied law two years, including one course in the Law School.

THE GREAT LAW CASES.

THE BARSTOW-BASHFORD CONTESTED ELECTION.

The somewhat notable litigation that forms the subject of this paper is reported in the fourth volume of Wisconsin Reports under the title, "The Attorney-General on the Relation of Bashford against Barstow." There are facts, however, quite outside of the office of the court reporter, that possess some interest, and it is the purpose of this article to embody these with the history of the proceedings before the supreme court.

At the general election in Wisconsin in 1855 the opposing candidates for governor were Coles Bashford, the nominee of the then young republican party, and William A. Barstow, democrat and the incumbent. Barstow's administration had not escaped criticism, and it will be readily believed that the current charges were active factors in the canvass. Apt alliteration's artful aid was summoned in the shibboleth, "Barstow and the Balance," and among the euphemisms of the campaign, the phrase, "The Forty Thieves" was prominent, reference being meant to the governor and his intimates.

The election having taken place, it was not long in appearing that the democratic candidates were elected, except the candidate for governor. As to that office, the vote was close, and the result doubtful. Both parties continued to claim the victory until the day fixed for the canvassing of the returns. That function was vested by the laws of the state in a state board of canvassers, consisting of the secretary of the state, A. T. Gray, the state treasurer, E. H. Janssen, and the attorney-general, George B. Smith. These officers were warm personal and political friends of Governor Barstow. Having opened and canvassed the returns, they certified that Barstow had received one hundred and fifty-seven majority, and was duly elected governor for the ensuing term.

Their action excited great indignation. It was stated that having adopted a rule in one case, they had not scrupled to adopt exactly the opposite rule in another case, being consistent only to the purpose of finding a majority for Barstow or making one. It was further charged that gross frauds had been perpetrated under cover of "supplementary returns," meaning returns received from sources aliunde, the certificates of the county canvassers. The town of Bridge Creek, in Chippewa county, which had never been heard of before, was found to possess startling electoral capabilities, having cast one hundred and twenty-eight votes, nearly all for Governor Barstow. A precinct in Waupaca county, for which no one had yet performed the office of godfather, and which was designated only as "town 25 north, of range ten east of the fourth principal meridian," developed a voting capacity that could only be accounted for on the theory that the bears had been enfranchised! Mr. Bashford resolved to contest the election. As the day fixed by law for the inauguration drew near, there was no little excitement. Rumors were circulated that the induction of Barstow would be resisted by force; that the supporters of Bashford would seize the capital. To provide against these possibilities, the friends of Governor Barstow sent to Milwaukee and Watertown for militia companies to be present at the inauguration, and in the silent hours of the night, arms were removed from the State House, and placed where they would be accessible to the followers of Barstow in any emergency. For a time there was afforded a fair prototype of Louisiana.

The seventh of January came. It was an intensely cold day, and the two hundred and fifty-eight soldiers, who had come to see that Barstow was inaugurated, presented a sorry sight as they paraded the streets with their benumbed fingers and frozen ears. But there was no attempt at a coup d'etat. Governor Barstow was sworn in by a *nisi prius* judge, and remained in undisturbed possession of the executive chamber. Mr. Bashford took the oath of office before E. V. Whiton, chief justice of the supreme court. On the tenth of the same month the legislature assembled. Its action had been looked forward to with interest in the expectation that it might have no inconsiderable bearing upon the contest. In the assembly the democrats had a considerable majority: in the senate the republicans had a majority of one. The assembly promptly adopted a joint resolution for a committee to wait upon His Excellency William A. Barstow, governor of the State of Wisconsin, and inform

him that the legislature was organized and ready to receive any communication that he had to present. The senate demurred at first and struck out the words, William A. Barstow, but on the following day voted to concur in the resolution on the ground that it only recognized Barstow as governor de facto. So the question was not to be settled by a coup or by the legislature; it was relegated to the supreme court.

The supreme bench consisted of Chief Justice E. V. Whiton and associate justices A. D. Smith and Orsamus Cole. Political parties had become at that day republican and democratic. The contest was purely political, and it may be a matter of interest to know the political proclivities of the respective judges who were to decide the contest in its legal bearing. Judge Whiton was originally a whig, and, upon the subsidence of that great party and the formation of the republican party in his state in 1854, became a republican; Judge Smith was an anti-slavery democrat, and Judge Cole was an old time whig and then a republican. Notwithstanding this diversity of political views the final decision of the case was unanimous. The attorney-general was William R. Smith, who was a democrat. The counsel arrayed on either side of the case represented the respective political parties to which they belonged, with the exception of E. G. Ryan, who was a democrat of the strongest kind but appeared for the republican side. The lawyers on both sides were accounted the ablest in the state at that time.

The claimant, Bashford, encountered a serious obstacle at the start. It was necessary for him to proceed by an information in the nature of a quo warranto. The provision of the law on this subject was that the attorney-general shall appear for the state, and prosecute and defend all suits and proceedings, civil and criminal, in the supreme court in which the state shall be interested or a party. By rather a singular coincidence the legislature during the previous winter had amended this provision as follows:

Whenever any citizen of this state shall claim any public office which is usurped, intruded into, or unlawfully held and exercised by another, the person so claiming such office shall have the right to file in the supreme court, either in term time or vacation, an information in the nature of a quo warranto, upon his own relation, and with or without the consent of such attorney-general; and such person shall have the right to prosecute such information to final judgment in all respects as provided in such chapter. Provided, That he shall first have applied to

the attorney-general to file the information, and the attorney-general shall have refused or neglected to file the same, and in such case he shall be liable for the costs if he shall fail to establish his right to the office.

The attorney-general, having been a candidate on the ticket with Governor Barstow, was his zealous partisan, and it was surmised that he would be disposed to obstruct rather than promote proceedings to secure a judgment of ouster against him. Mr. Bashford accordingly retained counsel consisting of Timothy O. Howe, United States senator for eighteen years; Edward G. Ryan, late chief justice of the supreme court of Wisconsin; Alexander W. Randall, subsequently governor of Wisconsin and postmaster-general in the cabinet of Andrew Johnson; and James H. Knowlton. It may be here stated that the counsel for Barstow were Matt H. Carpenter, subsequently United States senator; Jonathan E. Arnold, and Harlow S. Orton, now associate justice of the supreme court of the state.

The counsel for Bashford prepared an information and delivered a copy to the attorney-general with a request that he should file it. Their expectation was that he would refuse, when it would become competent for them under the law of 1855, quoted above, to file the information and prosecute it to final judgment. This expectation was disappointed; the attorney-general filed, not the information prepared by the counsel for the relator, but another drawn by himself. The attorney-general's information was very brief, and simply set forth in the most general terms that William A. Barstow held, used and exercised the office of governor of the State of Wisconsin without any legal election, appointment, warrant or authority; and, that Coles Bashford was rightfully entitled to hold, use and exercise said office. The information of the relator's counsel was long, and recited at length the action of the state board of canvassers, and the respects wherein the relator proposed to show that he had been defrauded. It was suspected, not wholly without reason it would appear, that the motive of the attorney-general was to compel the relator to go into court with a loose pleading, and at the same time to secure the control of the suit in the interest of the respondent.

On the twenty-second of January the counsel for the relator appeared in court, and moved that the information filed by the attorney-general be discontinued; that Coles Bashford be permitted to file an information on his own relation, and that he be at liberty to prosecute and

control the same, by himself, or his counsel. It is not necessary to the purpose of this article to summarize the arguments of counsel on this motion. One singular complication was the entering of an appearance by the counsel for the respondent to assist the attorney-general in opposing the motion. The court held that the condition contemplated by the law of 1855, had not occurred so long as the attorney-general filed an information, whether it were the one desired by the respondent or not. The motion was therefore denied; but at the same time the chief justice stated that there were three parties in court,—the people, the relator and the respondent,—and that the rights of all should be protected. The chief justice fixed the fifth of February as the time for the defendant to plead. On the twentieth of that month the counsel for the respondent moved the court to dismiss all proceedings for the reason that the court had no jurisdiction. Mr. Carpenter opened in support of the motion. He argued three propositions which he stated in beginning as follows:

I. The three departments of the state government, the legislative, the executive and the judicial, are equal, coördinate and independent of each other; and that each department must be, and is the ultimate judge of the election and qualification of its own member or members; subject only to impeachment and appeal to the people.

II. That this court must take judicial notice of who is governor of the state; when he was inaugurated; the genuineness of his signature, etc.; and, therefore, cannot hear argument or evidence upon the subject. That who is rightfully entitled to the office of governor can in no case become a judicial question; and

III. That the constitution provides no means for ousting a successful usurpation of either of the three departments of the government; that that power rests with the people, to be exercised by them when they think the exigency requires it.

Messrs. Orton and Arnold also delivered arguments in support of the motion. Messrs. Randall, Knowlton and Howe were heard in opposition. They contended that the independence of a department is a very different thing from the independence of the person or persons filling that department; that while the court might have no power to control, or in any manner interfere with the functions of the executive department of the state government, it has jurisdiction of the citizens of the state to prevent them from usurping the offices and franchises of the

state, and to punish such usurpation when consummated; and that the office of governor is a civil office, and an unlawful intrusion into, and usurpation of the same may be tried by an information in the nature of a quo warranto, and the intruder or usurper be ousted and punished. The court denied the motion to dismiss, affirming its jurisdiction on the grounds presented by the counsel for the relator substantially as above stated. It should be here mentioned that during the argument of this motion, the attorney-general was asked what part he proposed to take in the discussion; to which he replied that he was counsel of the people, and that he had no part in this action between the two other sides of this triangular case. Accordingly he submitted no argument. The next proceeding was the filing of a stipulation signed by all of the counsel agreeing to submit to the court whether it had any jurisdiction to inquire beyond the canvass of the state board of canvassers, and their certificate and the certificate of election made by the secretary of state, as to the number of votes actually given at the election for Barstow for governor, "the counsel for the relator offering to prove that such certificates were made and issued through mistake and fraud, and also that Coles Bashford at said election, for said office of governor, did receive the greatest number of votes." The court ruled that this stipulation presented no issue upon which judgment could be rendered, and required the counsel for the respondent to plead to the information. They did so, simply setting up the action of the state board of canvassers, determining and certifying that Barstow was duly elected governor, and the issuance to him of a certificate of election. To this plea the counsel for the relator demurred; the counsel for the respondent filed a joinder in demurrer, and on the twenty-ninth of February, the arguments began. They were concluded on the third of March, and on the fourth Chief Justice Whiton delivered the opinion of the court. It was, in brief, that in a proceeding by quo warranto to determine the rights of persons claiming an office, the court will go behind the certificate of the canvassers, and ascertain who was legally elected; for it is the election, and not the canvass of votes or the certificate thereof that confers the right; that the duty of state canvassers is mainly ministerial — to count the votes returned and make a statement of the result; they have no judicial power to try and determine a contest between disputing claimants; and that the canvass and statement of the board of canvassers are prima facie correct, but their correctness may be impeached by

testimony; they are not final and conclusive, but upon inquiry by quo warranto the court may go behind the certificate of the canvassers, and ascertain the fact of the election. The demurrer was sustained, and the respondent required to answer over.

The day fixed for the filing of the plea having arrived, Mr. Carpenter appeared in court and announced that the counsel for the respondent had been directed by their client to withdraw from the cause. At the same time he handed to the court a document which proved to be a communication from Governor Barstow, couched in language rather more vigorous than courteous. The governor protested "against any further interference with the department under his charge as governor of the state, on the part of the court, either by attempting to transfer its power to another, or direct the course of executive action"; and declared that he "should deem it his imperative duty to repel, with all the force vested in this department, any infringement upon the rights and powers which he exercised under the constitution." There was a warlike sound in his excellency's manifesto.

The subsequent proceedings in this contest must be briefly related. On the eleventh of March the counsel for the relator moved for final judgment on the default of the respondent. On the eighteenth the attorney-general, who, as has been stated, was more than suspected of being in sympathy with Governor Barstow, dismissed the case. On the following day the court met to announce its decision on the motion for judgment. It held that the default of the respondent rendered it competent for the court to enter a judgment of ouster against the respondent, but that it was not wholly clear that the court could enter judgment in favor of the relator. It would therefore require of the relator some proof to show that he had a right to the office. Referring to the action of the attorney-general in dismissing the case, the court held that it could not prejudice the rights of the relator.

On the twentieth of March the court began to take testimony to establish the claim of the relator, Bashford. On the twenty-first, Governor Barstow sent a communication to the legislature resigning the office of governor. The lieutenant-governor, Arthur McArthur, thereupon entered upon the duties of governor, and sent a message to the legislature announcing the fact. The supreme court continued to hear the testimony submitted on behalf of the claimant Bashford. Some of the evidence was of a startling character. There were supplementary

returns that were included in the count of the canvassers from Gilbert's Mills and Spring Creek, towns in different counties, and over one hundred miles distant from each other. It was observed that the paper on which these returns were written was of the same kind, a peculiar, small white foolscap, much used about the capitol, but rarely seen elsewhere. The more inculpatory circumstance was that the indentions of the two half sheets of paper, upon which these returns were written, upon being put together, exactly corresponded, showing that they had been originally joined in one sheet of paper. It is historical that a manufacturer of returns in Louisiana, by a masterly achievement won the approbation of a co-conspirator in the expression, "Well, you are a h—l of a fellow." There seems to have been some bold hand at work on the Wisconsin returns that was worthy of no less warm an eulogium.

The court rendered judgment on the twenty-fourth of March. It was a judgment of ouster against the respondent, and in favor of the relator. On the following day Governor Bashford, accompanied by Messrs. Howe and Ryan of his counsel, entered the executive chamber, and there found Acting-Governor McArthur. Governor Bashford demanded possession of the office. Governor McArthur asked if force would be used. Governor Bashford replied that it would, if necessary. Governor McArthur said that the threat was virtually force, and he would therefore retire under protest, at the same time rising and leaving the room. The senate at once recognized Coles Bashford as governor of Wisconsin. On the twenty-sixth, Governor Bashford sent a message to both houses of the legislature. The speaker of the assembly refused to receive it, and a resolution, instructing him to do so, was lost by a vote of thirty-four ayes to thirty-eight noes. On the following day eighteen democrat members of the assembly united in a paper protesting against the legality of Governor Bashford's incumbency, but intimating a willingness to recognize him as governor rather than to obstruct the business of the state government. A motion was made for the appointment of a committee of three to wait upon His Excellency Coles Bashford, governor of Wisconsin, and inform him that the assembly was ready to receive any communication that he might be pleased to make. Even the signers of the document above referred to were scarcely willing to take their humble pie in this form; but enough of the democratic members refused to vote to permit the adoption of the motion, and Governor Bashford served the remainder of the term without question or obstruction.

There remain to be related some facts that have never before been published, and the knowledge of which has been kept within a comparatively small circle. It must have occasioned some surprise in the mind of the professional reader to learn that after the court had affirmed its jurisdiction, and its power to go behind the canvass, the counsel for the respondent withdrew from the case, and made default, instead of joining issue on the facts. If the latter course had been pursued, they might, without serious difficulty, have practiced dilatory tactics until the expiration of the gubernatorial term. There is the best evidence for the statement that the members of the supreme court did not expect to render final judgment in the premises, confidently supposing that the policy of delay would be adopted. In a recent conversation with one of Governor Barstow's counsel, he was asked why they did not join issue on the facts. He replied that they had information that in that case the court would summon a jury and try the issue summarily there. They were certainly misinformed, for Judge Cole, the surviving member of the court, has stated that if an issue of fact had arisen in the case it would have been sent below for trial.

An explanation of the course of the respondent's counsel may be found in the facts about to be narrated. At an early stage of the proceedings Governor Barstow applied to Rufus Choate for an opinion upon the questions of law involved in the contest. It was forwarded; and it may afford some criterion to judge of the amount of labor bestowed upon it, if it is stated that Mr. Choate charged and was paid \$1,000. The opinion of that very eminent jurist was, in substance:

I. That the supreme court has no power to determine whether the citizen holding the office of governor, is or is not lawfully entitled to that office.

II. That the execution of a judgment of ouster by the supreme court against the governor would be none the less usurpation than if the claimant had seized the office without such judgment.

III. That such an usurpation would be "domestic violence," within the meaning of section four, article four, of the constitution, and would make it the duty of the United States to interpose its authority.

To return now to the history of the case: It will be remembered that it was on the nineteenth of March that the court rendered its decision that the action of the attorney-general in dismissing the case could not prejudice the rights of the relator. This extinguished the

last hope of Governor Barstow so far as the supreme court was concerned. On the same day Matt. H. Carpenter and Samuel Crawford, the latter being advisory counsel of Governor Barstow, started for Washington to procure troops from President Pierce to maintain Governor Barstow in his position. It is not clear how they could have expected to succeed, in the absence of an application by the legislature, which was in session; but it is quite certain that they started for Washington, and upon this mission. They went to their respective homes,— Judge Crawford to Mineral Point, and Mr. Carpenter to Beloit,— to make some needed preparations for their journey, when they were overtaken by dispatches which rendered their errand unnecessary.

Since their departure from Madison a new idea had dawned upon the counsels of Governor Barstow and his friends. It occurred to them that Governor Barstow might forestall the judgment of ouster by resigning, and that however defective his own title might be, he could thus vest a clear title in the lieutenant-governor, who was his political friend. Hence, as we have seen, the governor sent to the legislature his resignation, and Lieutenant-Governor McArthur succeeded to the executive office. But, as we have also seen, the court proceeded as if nothing had occurred, and having established Governor Bashford's right to the office, he was installed.

It is interesting to speculate as to what the consequences would have been if Messrs. Carpenter and Crawford had proceeded on their mission and presented to President Pierce an application in due form for troops to protect the state against domestic violence. The probability is that the requisition would have been complied with; for it has always been and must always be the tendency of the national administration to take an enlarged view of its own powers, and partisan sympathy would have inclined the democratic president to assist the democratic claimant. But suppose that federal troops had been sent into the state to maintain Governor Barstow in office, and to resist the process of the supreme court. Public feeling was very much excited at the time, as a single incident will illustrate: On the night before the supreme court was to render its final decision, Associate Justice Cole was awakened by a loud tapping at his window. He arose, and opening the blinds, found there a friend, who seriously advised him not to go in with the court on the following day, as they would certainly be mobbed. If the supporters of Governor Barstow were ready for expedients of so desperate a charac-

ter, the republicans were no less determined, and they were peculiarly jealous of the federal authority at that time on account of a recent instance of the enforcement of the fugitive slave law in the state.

Altogether it may be regarded as a fair inference from the conditions existing that, if United States troops had entered the state for the purpose of resisting the execution of the judgment of ouster against Governor Barstow, a collision would have resulted and other calamitous consequences that the imagination can scarcely compass. It must therefore be regarded as a subject for congratulation that a governmental machinery within the state was permitted to settle the contest; and justice seems to demand that some credit be allotted to the people of Wisconsin, which was then looked upon as the western border of our civilization, who, notwithstanding the intense feeling that prevailed, the possibilities of obstruction and confusion resulting from the possession of different branches of the government by opposing political parties, and all the circumstances tending to embroil the controversy, acquiesced in its adjudication by the supreme court of the state without turmoil or violence.

THE IMPEACHMENT OF JUDGE LEVI HUBBELL.

It was during the session of the legislature in the winter of 1853 that the state was shaken from center to circumference with the impeachment trial of Judge Hubbell. The democratic party held at that time full sway in the state and legislature. Judge Hubbell was a democrat, and a singular feature in the case was that his prosecutors were those of his own political household.

Levi Hubbell was a popular man. He possessed a fine personal appearance and much suavity of manner. He was for the second time a widower. Hence the more ready suspicion of immoral practices as charged in the trial.

William K. Wilson, of Milwaukee, led off in preparing the charges brought to bear on Judge Hubbell. Wilson had been once a member of the assembly, and member of the senate two terms, and was at the time a conspicuous man and politician. He was not, however, a member of either house when this trial was instituted. It is not known what special grievance Mr. Wilson entertained against Judge Hubbell at that period unless it be that, shortly before that time the judge was presiding in a murder trial at Milwaukee; the case created much local excitement; Wilson was foreman of the jury, and when the verdict was rendered "not

guilty," the judge made the deprecating remark to the jurors: "Gentlemen, may the Lord have mercy on your consciences." This greatly offended Wilson. In justice to the judge it should be said, however, that it subsequently transpired that the prisoner had committed the crime, and had confessed it to his counsel during the progress of the trial.

During the early days of the session it became rumored around the capital that an impeachment case was to be sprung upon the legislature; yet, few people suspected who the official was that would be aimed at. Shortly, however, on January 26, a bomb shell burst, so to speak, in the assembly, by the introduction of the following communication, addressed to the speaker, and signed by W. K. Wilson:

The undersigned, a citizen and elector of this state, hereby charges the Hon. Levi Hubbell, judge of the second judicial circuit of this state, with having committed and being guilty of high crimes and misdemeanors, and malfeasances in office, and has so acted in his judicial capacity as to require the interposition of the constitutional power of the assembly. I therefore request you to lay this communication before your honorable body, so that an investigation can be made, to enable the assembly to determine whether or not the constitutional power of the assembly ought to be exercised in regard to the Hon. Levi Hubbell.

Many able and prominent men were members of that body. Henry L. Palmer, of Milwaukee, occupied the speaker's chair. Immediately upon the reading of the resolution, excitement rose to a high pitch, and after several days of active skirmishing the resolution was adopted. Articles of impeachment were prepared by a select committee, sent to the senate March 5, and managers of the cause appeared in that body in behalf of the assembly. They consisted of H. T. Sanders, G. W. Cate, J. A. Barber, P. B. Simpson and E. Wheeler. They presented the articles of impeachment in due form, and the contest opened. The trial did not commence, however, until June 6, the legislature having, at the close of its annual session, adjourned to that day that the senate might sit as a court of impeachment, and that the parties might have time to amply prepare for the great contest. The lieutenant-governor being absent, Duncan C. Reed, the president of the senate, presided. John K. Williams and George H. Paul were the clerks. The senators were: N. Smith, J. S. Alban, A. M. Blair, B. S. Weil, E. M. Hunter, D. C. Reed, J. W. Cary, J. R. Sharpstein, G. R. McLane, M. H. Bovee, T.

T. Whittlesey, E. Wakeley, C. Dunn, A. Stewart, L. Sterling, J. W. Seaton, E. Miller, J. R. Briggs, Jr., B. Allen, B. Pinkney, C. Bashford, J. Prentice, D. S. Vittum, T. S. Bowen and J. T. Lewis. All of these were in their seats. Both sides retained counsel. The assembly managers brought in E. G. Ryan to their aid. The chief management of the prosecution fell upon him. It was here that this afterward eminent jurist first displayed the ability, learning and eloquence that made him the acknowledged head of the legal profession in the state, and which elevated position he held during his life.

On the part of Judge Hubbell, Jonathan E. Arnold and J. H. Knowlton were retained. Mr. Arnold stood, at the time, without a peer before a court and jury in legal learning, tact and eloquence. Judge Knowlton was a powerful legal light of that day. These lawyers had before them in the members of the senate, men, many of whom were then eminent in the state, and others who subsequently became so. The political parties of that day were whig and democrat. With members of the senate the latter predominated. The trial lasted twenty-six days, and drew a large concourse of people to the capital, and densely crowded the senate chamber during all the days of the trial, and swarmed all through the capitol. Upon the opening of the court one morning at the trial, the clerk, on reading the printed minutes of the preceding day, read persecution instead of prosecution, which caused a general laugh throughout the chamber. This nettled Judge Ryan, who arose at once and gave a severe and eloquent philippic against what he chose to look upon as an insult to the prosecution. It turned out that the change in the word was purely a typographical error, as since vouched for by Mr. Paul, the assistant clerk, but opportunity was afforded whereby Judge Ryan displayed his wonderful ability to pour forth a torrent of vindictive eloquence upon an unimportant matter, and which was wholly unpremeditated; but, then, such was the height of feeling aroused on the occasion of this trial that every incident connected with its progress was magnified in the excited minds of those present, whether members of the court, or spectators. The entire proceedings of the trial, the addresses of the counsel in full included, were published, occupying an octavo volume, a copy of which is now rare. It is the general opinion with the lawyers, in Milwaukee, at least, that the friends of Judge Hubbell gobbled up every volume they could lay hands upon. Many lawyers having taken the book to their houses for more safe keeping, but

on hunting them up, subsequently, find them missing. The book is thought of special value, not only as a model of the form of such proceedings in its several steps, but for the able and eloquent addresses it contains of the eminent counsel who argued the cause on either side.

There were eleven charges with sixty-four specifications. Four of these charges had relation to bribery, five to partiality, one charged him with embezzlement, and still another with tyrannical usurpation of authority.

Under the head of bribery were four charges. In the first two the judge was accused of adjudicating in the case of suitors in the courts upon pecuniary or other compensation. In the latter two, adjudicating in the courts upon causes in which he was personally interested.

The first charge details that a suit was instituted in the circuit court of Milwaukee county, and the judge, Levi Hubbell, permitted William Sanderson, one of the defendants, to consult with him on the subject matter of said suit; and afterward upon a traverse of the affidavit upon which the attachment was executed, which had been tried without a jury and submitted to him, the judge revealed to Sanderson that he would decide it as he, Sanderson, was interested that it should be decided; and thereupon solicited a loan of money from Sanderson, and obtained the same without giving any voucher, or making any agreement as to repayment; and within two days thereafter the issue of fact was decided as Sanderson desired. It was charged that when prosecution was threatened before the constitutional tribunal a voucher was given, but the sum of money remained unrepaid.

Charge third accused the judge of using his judicial station and influence for the purpose of inducing females interested in suits before his court to submit themselves to be debauched by him. To it there were four specifications. The two remaining charges in a moral aspect came under the head of bribery. In the first of these charges the judge was accused of presiding and adjudicating in the courts in causes in which he was pecuniarily interested. It was specified that the judge being the owner of a certain promissory note given by one Joseph O. Humble, did cause a suit to be instituted in the circuit court of Milwaukee county, wherein he was the presiding judge, for the collection of the said promissory note in the name of one Wallace W. Graham, as plaintiff against Humble, and did render judgment therein in favor of Graham. The second charge accused the judge of presiding and adjudicating in the courts in causes wherein he had personally acted as attorney.

The charge, of tyrannical usurpation of authority, differed somewhat from all the other charges. It specified that an individual having been convicted in Dane county for an assault with intent to kill, Judge Hubbell sentenced the individual so convicted to pay a fine of two hundred dollars, when the statute makes that crime a penitentiary offense.

One charge accuses Judge Hubbell of embezzling the money of suitors in the court. It was specified that in a certain cause in chancery pending in the circuit court of Dane county the judge ordered a certain sum of money in controversy to be paid to the clerk of said court, and afterward did himself obtain and use the same until the final determination of said cause.

The remaining five charges had relation to alleged partiality on the part of Judge Hubbell. In the first charge under this head he was accused of being partial in giving judicial advice and making judicial promises, as was instanced in the case of the attorney-general against the Wisconsin Marine and Fire Insurance Company and Alexander Mitchell, in which Judge Hubbell did confer with Alexander Mitchell whether to obey an injunction in the said cause, and averred that he, as judge, would dissolve the same.

The second charge alleged that Judge Hubbell had conducted himself with unjust partiality to particular suitors in the courts.

In the third charge he was accused of being partial in the exercise of his judicial functions, as was specified in the case of his ordering a new trial without sufficient cause, and without argument heard by him in court.

In the fourth charge he was accused of being partial in that he had allowed himself to be improperly approached, consulted and influenced out of court on the subject of suits pending in the circuit court of his circuit.

The fifth and last charge was that Judge Hubbell had officiously interfered and advised upon the subject-matter of suits pending in the circuit and supreme courts of the state.

On the first charge ten of the jurymen voted for conviction and fourteen for acquittal. Of all the charges relating to bribery this was the one on which Judge Hubbell came the nearest to being convicted. From the third article of the charge Judge Hubbell was almost unanimously acquitted. From the fifth charge and all its specifications the judge was unanimously acquitted. From the sixth charge of partiality

only six of the jurymen voted for conviction. From the eighth charge the judge was acquitted, and it related to an alleged private and indecent interview with a Mrs. Howe concerning an indictment against her husband for perjury.

Able, elaborate and eloquent arguments were made in the case by Edward G. Ryan on one side, and Jonathan E. Arnold and James H. Knowlton on the other, closing with a brief, terse and feeling address by Judge Hubbell.

At the close of the trial each specification in each of the charges was voted upon separately, which having been completed the president of the senate announced that Levi Hubbell, Judge of the Second Judicial Circuit, is hereby declared by this Court, not guilty of the charges of corrupt conduct in office, nor of crimes and misdemeanors, as charged in the articles and specifications exhibited against him by the Assembly of the State of Wisconsin.

THE KIDNAPPING AND RESCUE OF THE SLAVE GLOVER.

Future generations will scarcely be enabled to realize to its full extent the widespread antagonistic feeling that pervaded the people of the states in which slavery did not exist upon the enactment by the United States congress in 1850, of the famous fugitive slave law, the provisions of which compelled state authorities and individual citizens, when called upon, to seize slaves fleeing from southern bondage, and return them to their masters. Several northern states declared the law unconstitutional, and radical abolitionists innumerable stood ready to set the law at defiance. Refugees fled to the north in greater numbers than ever, and in various localities people came in direct contact with the authorities of the general government when the latter were attempting to enforce the federal laws by returning captured fugitives to bondage. In the Booth-Glover case the drama opens at Racine. Just before dusk on Friday evening, March 10, 1854, Charles Cotton, John Kearney and D. F. Houghton, accompanied by four other persons, started from the city with two teams and drove to within twenty rods of Glover's house, where they left the horses and wagons and proceeded on foot. Within the house were Glover, Nelson Turner, and William Abby, all colored, seated at a table, playing cards. When the knock was heard at the door Glover cried out, "don't open it until we know who they are," but Turner immediately went to the door and unbolted

it. Kearney rushed into the room with a bludgeon and dealt Glover a blow on the head, which brought him down. A desperate struggle ensued. Three men were unable to put irons on Glover, and even when, with the help of others they had succeeded, he broke the manacles from his wrists. Abby fled. Turner was placed in the wagon with Glover without resistance, and brought two miles toward the city when he got out.

The news of the capture of Glover soon spread throughout Racine. The citizens were thoroughly aroused during the night of the event, and inquiries were immediately made of Kearney concerning his authority for the arrest. At first the questions met with flat denials of the deed, but subsequent developments necessitated a change of attitude on the part of the aggressors. It became known that the alleged owner of Glover, a fugitive from slavery, resided near St. Louis, and had deemed it more prudent to effect the man's return by sudden force than by an appeal to the courts, inasmuch as this region was anti-slavery in general sentiment, or, at least, did not approve of the fugitive slave law of 1850. The owner, therefore, obtained a warrant from a Milwaukee judge for the arrest of Glover, in order that the capture of the negro might have some semblance of authority. Armed with this document, the band of kidnappers repaired to Glover's house, and with the manifest assistance of Turner, who appears to have been a false friend of Glover, successfully carried out their designs upon the liberty of the escaped bondman. On Saturday morning the news was received that Glover was incarcerated in the jail at Milwaukee. This announcement was the one thing needed to ignite the smouldering tempers of the people. The largest public meeting ever held in the place immediately assembled to protest against the outrage, and devise ways and means of rescuing the arrested refugee. Resolutions were unanimously adopted, demanding that a fair trial be accorded to the alleged fugitive slave. The people again assembled early in the afternoon, and resolved to send a delegation to Milwaukee, to carry into effect the resolutions adopted at the morning meeting. A steamer, on her regular trip, was to leave in the afternoon for Milwaukee, and about one hundred excited citizens literally took possession of the boat in their eagerness to give their moral support to the work in hand, and went on her to that city. The scene now changes to Milwaukee.

At the time, Sherman M. Booth was publishing, at Milwaukee, the

the daily Free Democrat, which was the organ of the radical anti-slavery element of the day in Wisconsin. As editor of this paper he wielded "a vigorous pen, with a fertile and strong brain, and assumed the attitude of leader in the van of the abolition party. So positive an organ, so unyielding an opponent, made enemies. The timid followers in his own army sometimes felt the lash, and never forgot it. But admirers and friends were numerous; energy, enthusiasm and zeal always command the admiration of the people, and Booth wielded a powerful influence." This was the status of one of the chief actors in the drama. "At nine o'clock A.M., March 11, 1854, Mr. Booth received a telegram from the mayor of Racine, stating that a negro, named Joshua Glover, had been kidnapped near that city by Deputy-Marshal Cotton, the night previous, and asking him to ascertain if a warrant had been issued in Milwaukee for that purpose. On inquiry, Cotton denied all knowledge of the subject, but Judge Miller said a warrant had been issued, but that whether Glover had been arrested, or would be tried before him, if arrested, he could not tell. The judge expatiated on the liability of the marshal, should the slave escape, and hoped there would be no excitement. Mr. Booth only asked that there might be a fair and open trial, and that Glover might be permitted counsel. He soon learned that Glover was in jail, brought here about eight o'clock that morning, bruised and bloody, with marks of brutal treatment. He at once issued small bills, stating the facts, and asking the citizens to watch the jail, marshal and court, as it was feared Glover would be spirited away. Writs of habeas corpus were issued directed to both the sheriff and marshal. Another dispatch from Racine at twelve, noon, stated that a grand meeting was held there and strong resolutions adopted. These proceedings he issued in another extra. At one o'clock P.M. the excitement was great, as it was reported that Glover was to be brought before Judge Miller, and delivered up to his claimant at two o'clock. It was thought best to have a public meeting, and as there was no other way to give notice, Booth mounted a dark, blazed-face horse, and full-bearded, bald-headed, and in trumpet tones, riding through the principal streets, cried: "Free-men to the rescue!" and calling on the citizens to meet in the courthouse square at two o'clock. The people gathered in great numbers. Dr. E. B. Wolcott was made chairman. Mr. Booth explained the position of affairs, read the dispatches from Racine, and, as chairman of a committee, presented resolutions, reciting the facts, and pledging

themselves to do their utmost to secure to Glover the benefit of the writ of habeas corpus, and a fair and impartial trial by jury. The dignity of the crowd, in numbers, at least, impressed the authorities of Milwaukee with the earnestness of its intentions to rescue the prisoner, and the military was called out, but did not respond to the summons.

Inflammatory speeches were made, a vigilance committee of twenty-five was appointed, and also a committee of two, to wait on Sheriff Page, and ascertain if he would obey the writ of habeas corpus; and the meeting, apparently united as the heart of one man, adjourned, to meet at the ringing of the bells. At three P.M. the sheriff made returns that Glover was not in his custody, but in the custody of the United States marshal. A writ of habeas corpus was then served on Deputy-Marshall Cotton, and a committee, of which C. K. Watkins was chairman, waited on Judge Miller, to see if the writ would be obeyed. Judge Miller answered that it would not,—that Glover would remain in jail till ten A.M., on Monday, when he would be brought before him for a hearing. At five P.M. a hundred delegates from Racine, headed by the sheriff of the county, with a warrant for the arrest of Garland and Cotton, for an assault and battery on Glover, landed on the steamboat wharf and marched to the jail. The bells were rung and the people assembled. Mr Booth explained to the delegation what had been done, denounced the fugitive slave act, but counseled the people against violence. Mr. Watkins reported that Judge Miller had decided that the writ of habeas corpus should not be obeyed, and that no earthly power should take Glover from the jail until Monday. Watkins said it was an outrage to keep Glover in jail over the Sabbath,—there were times when the people must take the law into their own hands, and whether the present was such a time the people must judge; he would give no advice on that point. After a conference with members of the vigilance committee, and of the Racine delegation, it was decided to repair at once to the American House, take tea, and consult as to the best course to be pursued. Mr. Booth made the announcement publicly, when the crowd made a rush for the jail, and in fifteen minutes Glover was liberated, put in a wagon, carried out of the city with swift horses, on the western road, followed by pursuers on horseback, in carriages, and even on foot; but eluding them all, he was driven safely into Waukesha late in the evening. Here he was secreted by sympathizers, taken in the night to Racine, where he was put on board of a vessel, and landed safely in Canada.

Sheriff Morrison, of Racine, arrested Garland for assault and battery on Glover, the same evening, and Judge Miller issued a writ of habeas corpus to the sheriff, and on the following Monday, he discharged Garland on a hearing, deciding that until Garland excepted his writ and obtained his slave, he could not be interfered with by any legal process by the state, and that in the execution of his slave warrant he was justified in using any violence, even to the taking of life, if necessary, to secure his slave, and that no state process could interrupt such violence. On March 15, Mr. Booth was first arrested by Marshal Ableman, and brought before United States Commissioner Winfield Smith. The examination was postponed until March 21, when, after three days' examination and trial, he was held in the sum of two thousand dollars, to answer any bill of indictment prepared against him at the July term of the United States district court. Dr. Wunderly became his bail.

On the twenty-fifth of March Mr. Booth was sued by B. S. Garland, of Missouri, for the value of his slave and damages, claimed at two thousand dollars. J. E. Arnold was counsel for the plaintiff.

Soon after this, Mr. Booth was surrendered by his bondsmen. A writ of habeas corpus was granted by Judge A. D. Smith, of the state supreme court, and after argument on the case he was discharged on the ground, first, that the commitment was insufficient; secondly, that the fugitive slave act of 1850 was unconstitutional, because congress has no power to legislate for the recapture of fugitive slaves, and because that act annuls the writ of habeas corpus and right of trial by jury.

The case was appealed to the full bench of the supreme court at the July term, and after a full and able argument, the court unanimously affirmed the order for his discharge; Justice Crawford dissenting from, and Chief Justice Whiton concurring in, the opinion of Justice Smith, that the fugitive slave act was unconstitutional.

In the meantime the United States district court was in session, and a bill of indictment was found against Mr. Booth and others, and Booth was arrested in July, the day after his return from Madison. He offered the same person, Dr. Wunderly, as bail, but the judge refused to accept him, though he offered to qualify in twenty times the sum demanded, on the ground that he had before surrendered him. Mr. Booth declined to give other bail, went to jail, and applied again to the supreme court for a writ of habeas corpus, which was denied, on the ground that the United States jurisdiction had attached, and that comity required the

state court to presume that the district court, on hearing, would pronounce the fugitive slave act unconstitutional, and discharge him; and that it could not interfere while the case was pending in the federal court. The news of the refusal of the writ caused much excitement, and a rescue being apprehended, Marshal Ableman went to the jail and offered to accept the same bail which Judge Miller had refused before, and urged it with some pertinacity, offering to go after Dr. Munderly himself; and finally, with some reluctance, Booth consented, and was released at eight o'clock Saturday evening, having been in prison ten days and six hours. A special term of the United States district court was held in November, for the purpose of trying the Glover rescue cases; but Mr. Booth being confined with a severe attack of typhoid fever, his case was postponed; but John Rycraft, indicted with him for the same offense, was tried and convicted; but an appeal to the supreme court discharged him on a technicality. At the January term Mr. Booth was put on trial. The motion of his counsel that the indictment should be set aside, on the ground, as shown by the affidavits of four witnesses, that two of the grand jury which had indicted him were strongly prejudiced against the defendant, and had expressed themselves in favor of his conviction, was overruled. The trial lasted five days, and was marked by a rather bitter spirit against the defendant; the district attorney being aided by one of Mr. Booth's strongest personal and political enemies. Under instruction of the court, the jury brought in a verdict, at nine o'clock Saturday night, after deliberating seven hours, of not guilty on the first three counts, of resisting United States process, and of guilty on the last two counts, of aiding Joshua Glover to escape. The judge charged the jury that the fact alone that Mr. Booth drew up and presented to the meeting at the court house the following resolutions was sufficient to convict him:

As citizens of Milwaukee, that every person has an indefensible right to a fair and impartial trial by jury on all questions involving personal liberty.

That the writ of habeas corpus is the great defense of freedom, and that we demand for this prisoner, as well as for our own protection, that this sacred writ shall be obeyed.

That we pledge ourselves to stand by this prisoner, and do our utmost to secure for him a fair and impartial trial by jury.

The following resolution was adopted by three of the jurors:

That while we feel ourselves bound by a solemn oath to perform a most painful duty, in declaring the defendant guilty of the above charge, and thus making him liable to the penalties of a cruel and odious law, yet at the same time, in so doing, we declare that he performed a noble, benevolent and humane act, and we thus record our condemnation of the fugitive slave law, and earnestly commend him to the clemency of the court.

On January 15 motions were made for arrest of judgment and for a new trial, on the ground of the insufficiency of the indictment and proof, and the prejudice of jurors, and affidavits of eight responsible witnesses were offered proving that two of the jurors who convicted him had declared, previous to the trial, that he ought to be convicted. But the motion, after argument, was overruled, and on January 23 Mr. Booth was sentenced* to one month's imprisonment and to pay a fine of one thousand dollars and four hundred and sixty-one dollars and one cent costs, and to be imprisoned till the fine and costs were paid. Mr. Rycraft, at the same time, was sentenced for the same offense to ten days' imprisonment, and to pay a fine of two hundred dollars, and both were immediately conducted to the county jail. The news of this sentence produced great excitement in this city and throughout the state, and meetings, numerous attended, were held here and through the country, pledging the sympathy and help of the people to save them from pecuniary loss. An application was again made to the supreme court for a writ of habeas corpus, which was granted, and on Monday, January 29, at sunrise, the prisoners, in charge of the sheriff, preceded by a band of music, and accompanied by their counsel, were escorted by a large number of their friends, amid the firing of cannon and the ringing of church bells, to the railroad depot, to take the cars for Madison; and on Saturday, February 3, after a full hearing, the supreme court discharged them free men, on the ground that no offense was charged against them in the indictment, Justices Whiton and Smith reaffirming their former opinions, holding the fugitive slave law unconstitutional and void.

This decision was hailed with acclamation by the republican press throughout the free states, and was responded to by a considerable portion of the democratic press of this state. Meetings were held and resolutions passed pledging the support of the people to the decision of the supreme court, and a mass state convention of the more radical portion was held in Milwaukee, and a rescue fund committee appointed to raise

funds to defray the expenses of the slave trials, past and future. About two-thirds of the expenses of the trials were raised by contribution; the rest was paid by the prisoners. The supreme court instructed its clerk not to send up the papers to the United States Supreme Court, denying to that court the right to review their decision in this case. They also refused to send up the papers on a writ of error from the United States Supreme Court.

At the state judicial election Orsamus Cole was chosen associate justice of the supreme court over Justice Crawford, the sole issue being the constitutionality or unconstitutionality of the fugitive slave act, Judge Cole representing the negative of the question. At the April term of the United States district court the suit of *Garland v. Booth*, for the value of the slave, came on, and after a trial of four days the jury disagreed and were discharged, after having been out fifty-two and a half hours. The trial was characterized by greater vindictiveness on the part of the prosecution, if possible, than on the criminal suit.

In the winter of 1858-9, the United States supreme court assumed jurisdiction in the case of Mr. Booth, without the papers, or a certified copy of the record, and proceeded to review the decision of our state court, and sent down its remittitur, requiring it to review its former judgment discharging Mr. Booth from imprisonment, and to remand him into federal custody. This our supreme court refused to do, denying the appellate jurisdiction of the United States supreme court over its proceedings.

After the decision of the supreme court at Washington, our legislature, in March, 1858, passed joint resolutions, denouncing the action of the United States supreme court, and sustaining the decision of our state supreme court, and recommending resistance as the rightful remedy. They had the sanction of every republican vote in both houses, and the approval of the governor.

In April, 1859, the judicial election turned solely on this issue; Byron Paine, who had been Mr. Booth's counsel, in the rescue cases, being a candidate for associate justice, against William P. Lynde, the democratic candidate, and was elected over him by a small majority.

In February, 1859, the United States marshal levied upon Mr. Booth's cylinder press and steam engine, to satisfy the judgment of *Garland*. The press and engine were sold for one hundred and seventy-five dollars; and in April, the marshal made another levy on the print-

ing office, to satisfy the balance of the judgment. Mr. Booth replevined his property in the circuit court, and recovered them; Garland appealed the cases to the state supreme court, and the cases were twice argued there, and the final result was that Mr. Booth lost his property.

On the first of March, 1860, Mr. Booth was again arrested, by United States Deputy Marshal Brown, on his way home from the railroad depot, and confined in the United States custom house, in Milwaukee. His counsel applied to the supreme court for a writ of habeas corpus, but as Justice Paine declined to act, on account of having been Mr. Booth's counsel, before his first discharge; and as Chief Justice Dixon had declared the fugitive act constitutional, the court was equally divided, and the application failed. Another application was made, on the ground that there was no authority for imprisoning him in the custom house; but Judge Dixon decided that this averment should have been made at the first application, and again refused the writ.

On the first of August he was rescued by some eight persons, who, at noon, went up to the room in which he was confined, seized the guard, opened the door, and walked off with him, after locking the guard in his place. He went to Ripon, and remained in that vicinity until the eighth of October, when he visited Berlin, and was arrested by a detective in the evening, put on board a special train of cars, brought to Milwaukee and placed in his old quarters in a room on the third floor in the custom house.

For a long time Mr. Booth lay in prison, occasionally issuing an epistle to the people,—that reminds one of Luther in the castle of Wartburg,—fulminating unseen doctrines that were acknowledged by a select few to be right, but highly dangerous.

Booth finally was released from durance by the timely efforts of James R. Doolittle then a republican United States senator from Wisconsin. Mr. Lincoln having been elected president in 1860, Senator Doolittle foresaw that the case of Booth would be presented to him asking for executive pardon, which would, under the circumstances, greatly embarrass him, in view of the attitude of the South toward the abolitionists of the North. Accordingly the senator went to President Buchanan immediately before the expiration of his term of office, laid the matter before him, and finally persuaded him to issue an unconditional pardon to Booth, and thus ended the "celebrated case" of that day and generation.

THE GRANGER RAILWAY CASES.

Some ten years since the matter of legislative control of railways operating in Wisconsin in particular, and in other states in general, had assumed that importance and discussion which was soon to bring on a test of the powers held by the railways, on one hand, and the people on the other. Those largely patronizing the roads had become loud in complaints of extortionate charges and discriminations. The farmers interested in transportation charges for their products to market, took the matter practically in hand, and in this state at least assumed the lead in antagonizing the right of the railways to indiscriminate rule in their scale of tariffs. With this contest largely in view, farmers in various parts of the country banded together in organized granges, denominating their members Patrons of Husbandry. By the year 1873 this order had become so strong in this state as to hold in its hands, in united action, the balance of political power. At that time the democratic party was largely in the minority, the republicans having the rule. To ring in the help of the Patrons, the democratic state convention nominated a noted farmer as its candidate for governor, who was also a leading member of the Patrons, and termed the new departure the reform party. The Patrons, as individuals and not as an organization, gave their suffrages largely to this reform ticket, and it was triumphantly elected, carrying with it a strong working majority of the state legislature.

At the succeeding session of the legislature, a movement was inaugurated to try conclusions with the railways, and an act was passed assuming general control of railways to which the charters had been granted by the state, and fixing limits to their charges for both freight and passenger transportation. To this the managers of the railways objected, claiming that a charter was a contract and constitutionally inviolable. They refused to obey the law, and were in consequence brought into the courts. To the State of Wisconsin is due the credit or having been the first to inaugurate the movement that eventuated in settling the principle of state control over railroads, one of the questions of greatest importance in the history of legislation and court decisions that has been discussed, acted upon, and conclusively decided in this country, in view of the magnitude of railway extension and the vital interests of the people as inevitably interwoven in the nature and and scope of its business.

The following are the leading facts pertaining to the progress of the legal controversy which grew out of the act of the legislature of Wisconsin, passed in 1874, known as the granger law of 1874, limiting the charges for passengers and freights on the railroads of the state. Shortly after the passage of the act, Alexander Mitchell, president of the Chicago, Milwaukee & St. Paul Railway Company, and Albert Keep, president of the Chicago & North-Western Railway Company, each addressed a letter to the governor of the state, stating, in effect, that their respective railroads could not be operated for the charges limited by said act, denying the right of the legislature to control and limit the charges of the company, and announced their intention of disregarding the law. Immediately after the receipt of these letters, and on the first of May, 1874, the governor issued a proclamation, to the effect that the laws of the state must be obeyed, and enjoining all railroad corporations, their officers and agents, to obey said act, and invoking the aid of all good citizens in its enforcement. The governor also, on the twenty-first day of May following, issued an address to the people of the state, setting forth that the railroad corporations were violating the law, invoking aid and support in enforcing it, and calling upon all the district attorneys of the state to vigorously prosecute all violations of the law, and on all constables and police officers to be vigilant to inquire into all offenses against said act, and to complain of the offenders.

The officers of the railroad companies had, before writing the letters to the governor above mentioned, taken the opinions of several of the most eminent lawyers of the country on the constitutional question of the power of the legislature to enact said law, among them B. R. Curtiss, William M. Evarts and George F. Hoar, who had all given opinions adverse to the constitutional power of the legislature to enact said law, and to the validity and binding force of the law. The governor of the state also submitted that question to A. Scott Sloan, the attorney-general of the state, who gave an opinion in favor of the constitutionality and validity of the law. In the meantime numerous prosecutions of the agents and employes of the railroad companies had been instituted in justices' courts, to enforce the penalties provided in the act for its violation. Certain holders of the bonds of the Chicago & North-Western Railway Company then filed a bill of complaint in equity in the circuit court of the United States for the western district of Wisconsin, against Geo. H. Paul, Joseph H. Osborn and John W. Hoyt, the railroad

commissioners of the state, and A. Scott Sloan, attorney-general, praying for injunction restraining the defendants from taking any steps to enforce said act by prosecutions of the officers, agents and employes of the company, and for a decree adjudging said act of the legislature to be unconstitutional and void; and, immediately upon the filing of said bill in court, made a motion that an injunction issue according to the prayer of the bill. This motion was brought to a hearing at the July term of 1874, before a full court in the United States circuit. David Davis, of the United States supreme court, Thomas Drummond, United States circuit judge and J. C. Hopkins, district judge, sitting to hear the motion. Mr. B. C. Cook, general solicitor, and Judge C. B. Lawrence, of counsel for the railway company, and E. W. Stoughton, of New York, as counsel for the bondholders, appeared and argued the motion for the complainants, and L. S. Dixon and I. C. Sloan appeared and argued the same for the defendants.

The court denied the motion. The bills of complaint were then demurred to for want of equity. A decree sustaining the demurrer and dismissing the bills was then entered. From this decree the complainants took an appeal to the supreme court of the United States. But the railway companies, still relying upon the advice of counsel, persisted in disobeying and violating the act limiting their charges. The attorney-general then, in July, 1874, after first obtaining leave of the court, filed informations in the supreme court of the state against the Chicago & Northwestern Railway Company, and the Chicago & St. Paul Railway Company setting forth the continued violations of the law on the part of these companies, and prayed that an injunction might issue restraining each of said corporations from exceeding its powers, and from asking or receiving higher rates of fare for the carriage of persons, and of toll for transporting property than those fixed and limited by said act of the legislature, and made a motion based on said informations that injunctions issue according to the prayer thereof. This motion came on for argument before the supreme court of the state. L. S. Dixon, I. C. Sloan and H. S. Orton appeared for the state, and B. C. Cook, C. B. Lawrence, John W. Cary, George B. Smith and P. L. Spooner for the defendants.

After an elaborate and exhaustive discussion of the questions involved by counsel lasting many days, the court granted the motion and directed the injunction to issue, restraining the companies from charging

higher rates for transportation of persons and property than those limited by the act. The opinion of the court, written by Chief Justice Ryan, is one of the most elaborate and able ever delivered by any court, and is a model of judicial style and reasoning. In the meantime two other cases had been instituted involving questions growing out of this act of the legislature. In one, Acherly, a lumber dealer, having tendered to the railway company the amount of freight prescribed by the act for a car load of lumber consigned to him, brought an action of replevin for the lumber and recovered judgment in the circuit court for Milwaukee county. In the other one, Stone, a ticket agent, having charged a higher rate for a passenger ticket than was limited by the act, was prosecuted for the penalty, and convicted in the Dane county circuit court. Both of these cases were appealed to the supreme court of the state and the respective judgments affirmed.

All the cases mentioned were appealed to the supreme court of the United States, and came on for argument in October, 1876, together with certain other cases from other states, involving analogous questions; Munn against Illinois, brought to determine the right of the legislature to limit the charges on elevators for storing grain; Chicago & Rock Island Railroad Company against the State of Iowa, in which the same question was raised as in the Wisconsin cases, as to the power of the legislature to limit charges for passengers and freights, and Winona & St. Peters Railroad Company against Blake, in which the main question was whether a state legislature where the constitution of the state reserved no right to alter or repeal the charters of corporations, had the power to regulate and limit railroad charges.

In the main Wisconsin cases Wm. M. Evarts, C. B. Lawrence, B. C. Cook, J. W. Cary and E. W. Stoughton appeared for the railroad companies, and I. C. Sloan and L. S. Dixon appeared for the state. The supreme court of the United States decided in substance, that railroad and warehouse companies were engaged in a public employment and service, and that, therefore, irrespective of any reserved power in the constitution of the state, the legislature of the respective states had full power to regulate and limit all charges for warehousing grain and for the transportation of passengers and property on all railroads in the country. Thus terminating in favor of popular control, the most important litigation which has arisen in Wisconsin since its organization as a sovereign commonwealth.

At the session of the legislature of 1876 the granger law was repealed, since which time the people generally and the Patrons of Husbandry as well, have been satisfied with the management of the railways operating within the borders of the state.

THE WHISKY TRIALS.

In the spring of 1875 the treasury department, which includes the internal revenue bureau, became aware that the internal revenue laws were being systematically violated in several of the cities of the West, and the subject was taken into consideration with the view of adopting some comprehensive plan for bringing the offenders to justice. The extent of these depredations was not known, but the secretary of the treasury and the commissioner of internal revenue agreed that they were of sufficient magnitude to justify strong measures on behalf of the government. The impression seemed to prevail, based on the reports of special detectives, that Chicago, Peoria, St. Louis and Milwaukee needed immediate attention, and vigorous measures were set on foot to strike a simultaneous blow at these several places. Accordingly, early in May, seizures were made of distilleries and other property at all these cities, and a large number of arrests speedily followed of distillers, rectifiers, compounders and government officers. The blow fell so suddenly, so unexpectedly, and with such tremendous power, that the action of the government arrested at once the attention of all classes, and became the great and leading sensation of the period. Almost the entire business of manufacturing distilled spirits at the above places was brought to a halt, as if by a single word of command. The parties interested in the business directly and indirectly, as well as the government officials, who knew how deeply themselves were implicated in the frauds that had been practiced, were for the time being in a state of consternation. Some absconded, others denied their guilt, and others awaited with ill-concealed anxiety the development of events.

Judge Hubbell had been since 1871 the United States attorney for the eastern district of Wisconsin, and was at the time of the first seizures above mentioned in possession of that office. The supervisors and the special agents of the internal revenue department acquired the notion, for reasons which were not made public, and which it is, perhaps, not important to know, that the judge was not in sympathy with the policy of the government in the premises, and he was shortly afterward suspended and finally removed.

Judge Dixon, who had recently left the position of chief justice of the supreme court of the state, and J. C. McKenney, who had been deputy United States attorney for the western district of Wisconsin, and had had some experience in enforcing the internal revenue law in that district, were appointed special assistant United States attorneys, and as such were placed in charge of the prosecution of the cases connected with and growing out of the alleged violations of the law in the city of Milwaukee. The defendants, or such of them as had not absconded, having resolved to make a vigorous fight, retained Carpenter & Murphy and Goodwin & Adams as principal attorneys, although in the course of the litigation which followed Winfield Smith, J. G. Jenkins, Frederick C. Winkler, F. W. Cotzhauzen, J. R. Doolittle, J. T. Fish, and possibly others, appeared on behalf of some of the defendants. A grand jury was called for the Oshkosh term of the United States court which opened on the second Tuesday of July, at which thirty-seven indictments were returned. The parties named in these indictments embraced all against whom evidence had been furnished at the time, including the collector, George Q. Erskine, and a considerable number of storekeepers and gaugers. In the meantime a large number of civil suits had been commenced on the bonds of the distillers and the official bonds of the storekeepers and gaugers, and proceedings in rem instituted to forfeit the property employed in and about the manufacture of spirits.

At the October term of the United States court, held at Milwaukee, his honor Judge Drummond, circuit judge, occupied the bench with his honor Judge Dyer, of the district court, and reporters for the local newspapers were in attendance to report the evidence and the incidents of the court room for the public. The first case called was that of the United States against George Q. Erskine, indicted for "neglect of duty and unlawful issue of stamps." Mr. Erskine was a resident of Racine and was defended by ex Senator Doolittle and J. T. Fish, of that city. The result was a verdict of acquittal, and it is only just to Mr. Erskine to say that the verdict was in full accord with popular opinion and expectation.

The case of the United States against C. J. F. Moller, government gauger, was next called and was very vigorously contested at every stage. In the defense of Mr. Moller, Senator Carpenter took the active and leading part, although Messrs. Murphy, Goodwin, Adams and Judge Hubbell occupied seats at the table and rendered important assistance.

This was the only jury trial in which Mr. Carpenter took any part in the court room, in these cases. Mr. Moller was convicted and subsequently sentenced by Judge Drummond to imprisonment in the States prison at Waupun for one year and fined \$2,500. After this other cases were called in their order and tried, the government being almost invariably successful.

In January, 1876, indictments were returned against Daniel W. Munn, supervisor of internal revenue and Augustus G. Weissert, deputy collector; also against Sylvester J. Conklin, revenue agent; Edward S. Reddington, gauger; Nowell S. Tenny, gauger, and several others. A second indictment was returned against George Q. Erskine at this term. Phillip Goldberg, Julius Jonas and Adam M. Crosby, of Chicago, were indicted for a conspiracy to carry away papers.

Nearly the entire time of the court was occupied from October, 1875, till July, 1876, with these so-called whisky cases. Judge Drummond remained through two or three of the jury trials, when he returned to Chicago, leaving the subsequent cases to the district judge. In anticipation of an indictment, Mr. Conklin had fled to Canada, where he remained till a promise of indemnity was obtained for him by United States marshal C. S. Hamilton, upon condition that he should return and furnish evidence for the indictment of certain parties named in the marshal's correspondence. Mr. Conklin shortly after his return was taken before Judge Dixon and Mr. McKenny by Marshal Hamilton, to disclose what he knew concerning the guilt of the parties in question, when it was discovered that his knowledge fell short of what was required to furnish ground for indicting, to say nothing of convicting the parties. The correspondence of the marshal with Mr. Conklin was quite voluminous and was subsequently embodied in a petition by Conklin to the court, asking the formal discontinuance of the prosecution against him, and the same thus became a part of the public record of the case. As Mr. Conklin held the unconditional indemnity of the government over the signatures of Messrs. Dixon and McKenny, the court could not do otherwise than grant the petition. The indictment against Daniel W. Munn was discontinued by direction of the court with the approval of the attorney general, for want of evidence. The indictment against Augustus G. Wiessert was called for trial at the November term, 1876, but no evidence implicating him could be elicited from the witnesses and he was discharged by direction of the court.

Mr. Erskine demanded an immediate trial on the second indictment against him, but the attorneys for the government were not ready to proceed, and subsequently a *nolle prosequi* was entered in the case. The same course was pursued in the cases against Reddington and Tenny. The second batch of indictments seems to have been based on uncertain and insufficient evidence, and doubtless might better not have been found. The trial of the indictment against Goldburg and others came on in May, 1876, and continued for several days, and resulted in a verdict of not guilty.

A very considerable amount of money was realized in the civil actions, and the parties involved in the crooked business were for the most part brought to punishment, but there was much criticism indulged in, particularly against Secretary Bristow and Solicitor Wilson for the manner in which the prosecutions were conducted. Many persons who were under indictment for violations of law and were generally believed to be leading spirits among the crooks, instead of being prosecuted, convicted and sentenced in the usual way, were approached by government officials and solicited under varying promises to furnish evidence implicating other parties. Some were promised absolute immunity, upon condition that they should tell what they knew concerning prominent citizens in their locality. Others were promised more lenient punishment. The result, undoubtedly, was to cheat the law of its victims in some instances and to greatly detract from the moral effect which might have resulted from a different policy. But it may be justly said that the rings which had been organized to defraud the revenues, were effectually broken up, and the action of the government in 1875-6 has helped very greatly to secure the high standard of efficiency in the revenue service that has prevailed since.

WIT AND HUMOR OF THE WISCONSIN BAR.

There lived in Wisconsin a certain Judge J —, who was noted for his learning, abilities and for being remarkably absent-minded when intoxicated to a certain degree. Judge J — and Senator B — had been on a visit to Madison on some political errand, and both had become somewhat "blue," when they started for home — a distance of about thirty miles. The two friends lived in the same town, had gone to Madison together in the same buggy, and were to return together, and *did* start in the company of each other about one o'clock P.M. At

the "Half-way House" they stopped to take a drink, of course, and Senator B—— alighted to procure the "red-eye," while the judge remained in the buggy. In due time the senator returned with decanter and tumbler, and the two drank, and B—— returned to deliver the implements to mine host. B—— deposited the tumbler and decanter, paid for the "exhilarator," then called for a cigar and proceeded to light the same. Meantime the judge, having taken his drink, sat quietly for the space of half a minute, and forgetting that he was waiting for B——, started up the team at a 2:40 rate and was off.

After driving about forty miles he met a friend going to Madison, whom he hailed as follows :

"I say, D——, just stop at the Half-way House and ask the landlord if I left anything there. It seems to me I came away and forgot something, and I have been trying to think for an hour what it is, but I can't; so just stop, won't you, and inquire, and if I left anything, just bring it out when you come back?"

D—— agreed, and the judge drove home.

Two or three days after B—— arrived, and immediately called upon the judge, when occurred the following :

Senator B——, "You are a pretty man to leave a fellow fifteen miles from home, ain't you?"

Judge J., "Why, B——, what's the matter?"

B——, "What's the matter! sure enough, I have a good mind to thrash you!"

J——, "Why, B——, what's the — I — I don't understand."

B——, "Don't understand, eh? As though leaving me at the Half-way House wasn't enough, but you must send by D—— to inquire if you hadn't left something; and now make strange as if you didn't know it!"

J——, "Ha! ha! ha! That's it. I knew there was something wrong. I told D—— I had left something, but couldn't think what. Tried to remember all the way home. Asked my wife what was missing when I got home. Have thought of it ever since, and could make nothing of it; *and sure enough it was you.* Ha! ha! ha! Sorry, 'pon my soul. Let's take a drink."

And they did drink.

Judge Miller was in religion as strict and devout an Episcopalian as he was in politics an ardent democrat. His radicalism in these particulars

may well be illustrated by a short anecdote. While holding court at Oshkosh there was on one occasion a witness on the stand who greatly vexed the judge by his stubborn persistency in withholding certain facts. The judge could hardly find words strong enough to express his irritation. While at dinner at the hotel the same day he happened to be seated near Gabe Bouck, from whom he sought to obtain some consolation by relating his troubles, expressing, as his opinion, that the contumacious witness "must be a Methodist."

"On the contrary," said Bouck, "he is an Episcopalian."

"Then," said the judge, "he is certainly a republican."

"Wrong again, judge," said Bouck, "he is a democrat."

On the first of April, 1870, a little triangular piece of wit was perpetrated in the clerk's office of the supreme court of the United States between Senator Carpenter of Wisconsin and United States Attorney-General Evarts and Mr. Middleton, the clerk of the court. Said Mr. Carpenter:

"Mr. Middleton, there is no statute of the United States that prohibits a man from making a fool of himself."

"Nor any decision of the courts," gravely rejoined the clerk.

"Ah, certainly," quickly added Mr. Evarts with a sly twinkle of the eye, "there is nothing in the practice of this court to warrant any other conclusion."

David Davis, while an associate justice of the United States supreme court, and holding a session in Madison, the attorney for one party in a case that came before him failed to appear, whereupon the attorney for the other party claimed in consequence a decision in favor of his client. The judge heard him through, when he quietly remarked that "a case was once before him down in Illinois where the opposing counsel did not appear and we beat him!" This squelched the persisting lawyer.

H. N. Wells. Mr. Wells was a wit and genius, and withal outspoken and independent in his demeanor in court. Practicing before Judge A. G. Miller, at Milwaukee, Hans Crocker one day asked the judge "why he did not discipline Wells for impertinence." The judge quickly replied, "Mr. Wells wins no cases in this court."

At another time Mr. Wells was making out an affidavit for a client to sign bearing on a case then pending. The latter said to him to so write

it that the true facts would appear. The former turned around and said "it is my business to make out this affidavit and yours to sign it."

Moses M. Strong, in a case before Judge Savage, proceeded to read an affidavit which was of great length; told about where he lived, what he had been doing, and not a word touching the case. The judge, to cut it short, remarked, "That is the strongest affidavit I have ever heard; it is all right, and will be accepted right now."

An application once made before Judge Frazer for change of venue on account of prejudice of the judge. The judge said he did not know the party—had never seen him—asked his counsel if he was in court—requested to see him—attorney called upon him to stand up—judge looked at him askance, shrugged his shoulders, then said quickly to the attorney: "All right, it is all right, the order for change of venue will be entered; I had no prejudice in the case before, but have now!"

Judge Woodell, who resided in Madison, was of a humorous turn. He had received some of the notable railroad bonds which were corruptly distributed to members of the legislature at the session of 1856, of which body the judge was a member. He afterward was requested to return them, and he replied that he had sold them and used the money—had lost sight of them entirely, but when the Ross telescope arrives at the observatory he would try and discover them. Being a prominent democrat the Milwaukee News had been sent him for a long time and finally a bill for subscription to the paper was sent, to which was added, "The proprietors could not make a paper without costing money." The judge replied he did not see that it had cost him anything, and failed to remit. The paper was then unceremoniously stopped. At this he wrote to them that "he had seen by the terms advertised in the paper that 'no subscription will be discontinued until all arrearages are paid,' and that, as he had paid up no arrearages, he did not see but that he was entitled to the continuance of the paper." The paper was promptly sent him.

Perry H. Smith relates that an early day in the law history of Wisconsin, a man was on trial for a crime at Appleton, was convicted, and a motion made for a new trial. The judge was undecided, and during an adjournment it was proposed to let the judge out of his

embarrassment by the chances on a game of "old sledge." The court and prosecuting attorney played for granting a new trial, and won. The criminal was finally acquitted, was advised by the prosecuting attorney to study law, which he did at Oshkosh, was admitted to the bar; subsequently practiced in Iowa, and became distinguished. All the happy result of a game of cards, a recreation all too common in those pioneer times, when results of so fortunate a nature did not often follow the enticing pastime.

A case was recalled before Judge Stow. When he declared that he had before decided the case, the clerk stated it had been appealed, his decision reversed, and remanded for a new trial. "Then," said the judge, "I have only another decision to make, and that is that the judges of the supreme court are consummate blockheads."

On leaving a hotel Judge Stow threw down a ten dollar bill to pay the charges. The clerk said he could not change it. "Well," said the judge, "this is the first time I have known this hotel to charge anything less than ten dollars."

John J. Orton, when arguing a case of his own before the supreme court, with an ex-judge as counsel for the other side, the latter, in referring to Mr. Orton indulged in the quotation: "He who pleads his own case has a fool for his client." When it came to Orton's turn, he retorted by saying "he would leave it to the court to judge whether, in the case of his opponent in this cause the old saw should not be reversed in that the client seemed to be the wise man, and his lawyer the fool."

On another occasion of a case of his own before the supreme court, upon his arising to open, Chief Justice Ryan left the bench, remarking "I have been a partner of the attorney and it is proper for me to retire." Thereupon Judge Orton arose and left, remarking that he "is a brother of the party, and it would be improper for him to sit upon the case." J. J. Orton then, looking around in his peculiar way, said, "I have got along eighteen years with only three judges on this bench, and, possibly, I can a while longer."

A law firm of Milwaukee, which for reasons unnamed we will designate as Smith, Jones & Smith, experienced lately an amusing trick which is too good not to be told. The firm, especially devoted to the collecting of debts, had in this line gained a good reputation as col-

lectors, once notified a local business man that they had a collection against him and informed him of it in order that by conferring with them he might save himself much trouble. The debtor, who was personally quite unknown to the lawyers, had no objection except the payment of the claim. So he appeared in the law office of Smith, Jones & Smith and announced that he had a "case" for them.

"There is a fellow in town," said he, "who threatens to sue me, and I am ready to pay any amount in case he loses his suit. Can you help me?"

"Certainly," exclaimed Smith, Jones & Smith, who, as said above, did not know their man.

"What I want," said the client, "is to delay the fellow, and finally not pay him. Can I do that?"

"Assuredly," said the senior partner, "the man will not get his money for twenty years, if we take the case in hand."

"You are entire strangers to me said the client, but you have been well recommended. Suppose now that the man sues me, what will you do?"

"First, we will delay answer to the suit. Then we will take depositions de bene esse before a court commissioner; then summon foreign witnesses, perhaps from Siberia; then on the day of the proceedings our business will be of such a nature that the trial will have to be postponed; then you and we will take turns in being sick, and if at last he receives judgment in his favor, we will appeal. Oh, it will be twenty years at least before the plaintiff will get his money."

"But what will the attorneys of the other side do? I hear they are very shrewd men."

"We do not care a continental for that," said Smith, Jones & Smith, "who are they?"

"I do not remember the name, but I have one of their letters with me. Here it is, but, gentlemen; the — thunder! it is Smith, Jones & Smith!"

The partners were speechless.

"I hope that nothing I have said will be used against me," said the client, in a submissive tone, after looking at the three lawyers in a row. "I beg, my dear sirs, that you will not betray me. It was a bad mistake, but I hope you will not use it against me."

Smith, Jones & Smith held a short consultation.

"Am I in great danger?" said the client.

"We believe not," answered Smith, Jones & Smith, "we are — now we — we are ready to let the affair go. We will say nothing if — if — if you will keep your mouth shut in regard to our conversation."

"Certainly, certainly," smiled the client, "and in future you shall have all my law business."

Probably one of the most enjoyable episodes in the professional life of the lawyer is when attending court in a country town with a little leisure on their hands, when stories, anecdotes and general hilarity is in order. At one term of the circuit court in Green county, the attorneys were waiting for the judge — Pulling — to arrive, and as one method of passing off the time a moot court was put in operation. A man would be brought in for trial in all apparent seriousness, and final judgment rendered against him for ten dollars. This he would pay over, and the court adjourn and drink it up; and when again becoming thirsty repeat the operation with another victim.

At another time they forced Judge Pulling — this was before he was a judge — to mount a barrel and to make a speech. The barrel head fell in and with it Mr. Pulling, who, being rather brief in stature, presented a comical appearance; his head just protruded above the demoralized barrel, to the great amusement of his brother lawyers.

Judge David Noggle was apt, so to speak, in the misuse of words. At a meeting of pioneer settlers at which he was present, it was proposed to take some action upon the recent death of one of the club, who had been killed by the cars, upon which Judge Noggle offered a resolution to "congratulate the friends of the deceased."

At another time when he was attending a society meeting of a congregation that was about to build a church, and the propriety of having the usual ceremony of laying the corner stone was under discussion. The judge was called upon for his opinion — he being a judge — when in the course of his remarks he said, "it was customary on such occasions to place monumentals under the corner stone."

On one occasion when addressing a jury in behalf of the plaintiff, he called their attention to the personal appearance of the defendant, and pointing direct to the man he exclaimed, "you can see f-r-o-d written upon his very forehead."

Of Matt Carpenter it has been said that the very audacity of the man was sublime. An incident occurred soon after the present Chief-Justice Waite, of the supreme court of the United States, assumed his position. Nowhere is etiquette more rigidly observed than in the old senate chamber, which is now the gloomy United States supreme court chambers. Its frigid solemnity, it was once remarked, was sufficient to give a Polar bear the ague. After Justice Waite had assumed the gown this strictness became even more rigid than before. An attorney presuming to address the court while wearing his overcoat was rebuked for his disregard of the dignity of the court. This system did not please Carpenter, and he took a method to express his contempt for such conventionality that, for audacity, exceeds anything on record. Appearing in the chamber to deliver an argument, he arose seemingly to address the court, but hesitating, advanced into the august presence of the mighty nine, and addressing the chief-justice, requested him in the blandest manner to hand him a pinch of snuff from the snuff-box which lay on the elevated desk before him. Before the chief-justice could recover from his surprise he was holding the snuff-box extended to the complacent Carpenter, while a suppressed titter ran through the assembly and a smile rippled over the solemn countenance of more than one of the justices on the bench. "Thank you, judge, thank you," said Carpenter, and then he proceeded with his argument.

Of Judge Stow. The story about the late Chief-Justice Whiton's handsome feet is literally correct, except that it was Judge A. W. Stow instead of Isaac Woodle who said that if he "could have Whiton's feet he would be almost willing to also have his head." Judge Stow did not have club feet, but very awkward and shapeless ones, short, thick, stubbed, without curves of beauty, and so constructed, as one of our informants stated, that the hollow would make a hole in the ground. Whiton and Stow were both members of the old supreme court, composed of the circuit judges, and it was during a term of the court, while they were occupying the same room as boarders at the old National hotel at Madison, that the conversation occurred.

A plaintiff was sued before a Wisconsin justice for damages caused by the bite of defendant's dog; and on the trial, while being examined on his own behalf, he was asked, "how much he was damaged by the

dog?" This was objected to by defendant's counsel, when the esquire, who was a Hibernian, said he would put the question himself, which he did thus: "This is the question: What would ye tak to be bit by the same dog agin?" This decided the matter.

Several years since a circuit court in Wisconsin was in session, Judge Blank presiding. A man was on trial for a violation of the law to suppress gambling. Mr. K.— was defending him. A witness on the stand talked glibly of "checking," "passing" and "going blind." The defendant's counsel appeared to understand these terms without difficulty. The judge, who enjoyed a joke, said to him: "Mr. K.—, you seem to understand the witness; will you explain the terms used by him?" A suppressed laughter rang through the room; but Mr. K.— was equal to the emergency; he walked deliberately up to the bench, and reaching out his hand in the most innocent manner in the world, answered, "certainly, sir, certainly, if your honor will be kind enough to lend me your deck."

A stranger came into the office of J. H. Knowlton and abruptly informed him that his wife had deserted him, and wished to have her replevined at once. Mr. Knowlton told him that remedy would not meet his case exactly, and went on to inform him that, if he would be patient until the desertion had continued one year, he could obtain a divorce. The stranger said that he did not know as he wanted a divorce; what he most feared was, that his wife would run him in debt all over the country. "In that case," said Judge Knowlton, "you had better post her." What his client understood him by posting remains a mystery to this day. He said, in a meditative way, that he did not know where she had gone, and besides that she was fully as strong as he was, and he did not believe he could post her, even if he knew where to find her. Mr. Knowlton hastened to inform him that, by posting his wife, he meant putting a notice in a newspaper, saying: "Whereas, my wife, Helen, has left my bed and board without just cause—" But that is not true," interrupted the client, "that is not true—she didn't leave my bed—she took it away with her."

Mr. Hood and Mr. Thompson, both residing in Madison, looked so much alike that it was often found difficult to distinguish them from

each other. On one occasion, Mr. Hood had a note discounted in a bank at Madison, which had recently been opened. A few days after the note had matured, the clerk of the new bank was sent out to find Mr. Hood and notify him of the state of affairs. The clerk met Mr. Thompson in the street, and thinking he had struck his man, informed him that his note was due. Mr. Thompson, seeing the chance for a joke, said that he had been expecting to have the money but had been disappointed, and asked for a renewal of ninety days, which was granted. Mr. Thompson then went to Mr. Hood and informed him what he had done, at which Mr. Hood was delighted, saying that when the time was out he would be greatly obliged to him to renew the note for another ninety days.

In New England it is the custom for all members of the bar to commence their professional career in the capacity of justice of the peace, consequently the lawyers of that region have one and all acquired the honorable title of "squire." A gentleman from Massachusetts, Mr. M. P. Wing's native state, was visiting at La Crosse, and being told that a Massachusetts man was an inhabitant of the town, he expressed a great desire to see him. After the ceremony of introduction had been gone through with, Mr. Wing was asked by his new acquaintance, with Yankee-like inquisitiveness, what his occupation was. He naturally enough replied that he was an attorney. The New Englander, after searching his own mental vocabulary for the meaning of the word, ingeniously put the question,

"Have you a turning lathe?"

"No, I am a lawyer," was the startled reply.

"Ah, well then, I am glad to have met you, 'squire."

The New Englander was no longer dealing in foreign words.

General Gill relates an amusing incident of his early professional career. He came to Watertown, Wisconsin, from central New York about the year 1853, being then about twenty-three years of age. He had a small but well-chosen library, and was full of courage and confidence. The first case that he was employed upon, however, resulted most disastrously, and, as he asserts, came near driving him out of the legal profession. The majority of the people of Watertown were of German birth or parentage, and our young lawyer was employed one

day to try a case in dispute between two citizens of the above-named nationality. His client, the plaintiff, asked damages of the defendant for injury committed by the latter's cow, which had been allowed to run at large, contrary to the ordinances, and had broken into the plaintiff's garden. The suit was brought before an old Dutch justice, and as the day was very warm, he adjourned the court from his office to the shade of a large tree a few rods distant. A jury consisting of six honest German burghers was impaneled. There was no dispute as to the facts alleged or as to the amount of damage inflicted, so Mr. Gill contented himself with reading the ordinance, which stringently prohibited the running at large of cattle, and sat down in the confident expectation of a verdict. The opposing counsel, to Gill's great amusement, never touched upon the question at issue, but devoted his whole time to berating rich people who seek to oppress the poor, and especially in the way of refusing the latter the small privilege of pasturing their cows on the grass grown on street sides. To that sort of an argument Mr. Gill thought it ridiculous to make any response, and so the jury retired at its close to the shade of another tree for consultation. They were not gone long, and our young attorney's astonishment and horror can be imagined when the foreman arose and impressively said: "May it please the court, we find the plaintiff guilty." Gill says that for an hour or two he felt inclined to throw his library into the river, and hire out to a drayman; but he soon thought better of it and his subsequent career is marked with brilliant professional victories; thus showing that, if a young lawyer has the right kind of stuff in him, early defeats only serve to stimulate him to efforts that, in the result, are certain to win.

In a case in the United States supreme court at Washington, Mr. Carpenter, the counsel opposed to Mr. Ryan, proposed to supply some omission or neglect on his part by filing the requisite paper, *nunc pro tunc*. Mr. Ryan said that it reminded him of the Dutch justice who was applied to to marry a couple, and the justice told the applicants that his commission had expired, but that they might go and behave just like married folks, and come back next week, when his commission would be renewed, and then he would marry them *nunc pro tunc*.

ATTORNEYS IN PRACTICE

Adams county — Friendship, J. B. Harrison, O. B. Lapham, S. W. Pierce, Adriel Bean.

Ashland county — Ashland, John J. Miles, W. M. Tompkins.

Barron county — Rice Lake, F. M. Angell, G. H. Barwise, Sr., I. C. Sargent, W. A. Hylman. Barron, J. F. Coe, H. J. Sill, W. P. Swift, C. S. Taylor. Cumberland, C. C. Kinsman. Cheteck, W. R. Smith.

Bayfield county — Bayfield, J. H. Knight, Andrew Tate.

Brown county — Green Bay, C. W. Bailey, L. J. Billings, Van Buren Bromley, T. G. Case, E. H. Ellis, G. C. Green, D. H. Grignon, S. D. Hastings, Jr., T. R. Hudd, H. J. Huntington, W. J. Lander, F. G. Lee, M. P. Lindsay, M. L. Martin, A. C. Neville, J. C. Neville, L. B. Sale, J. J. Tracy, C. Vroman, J. H. M. Wigman. Depere, G. F. Merrill, E. F. Parker. Kaukauna, E. C. Eastman.

Buffalo county — Alma, T. Buechter, R. Lees, C. Moser, Jr. Fountain City, A. Finkelnburg, W. F. Finkelnburg. Gilmanton, Edward Lees. Mondovi, S. G. Gilman, J. W. McKay, J. W. Wheelan.

Burnett county — Grantsburg, W. R. Maxwell, E. M. Wilson.

Calumet county — Chilton, T. Lynch, J. E. McMullen, A. A. Nugent, J. Paulus.

Chippewa county — Chippewa Falls, J. M. Bingham, W. F. Boland, D. Buchanan, Jr., J. S. Carr, P. H. Foster, L. Gandit, A. Gough, W. R. Hoyt, J. J. Jenkins, R. D. Marshall, W. L. Price, H. Richardson, W. H. Stafford, J. P. Wall, C. J. Wittse, F. T. Condit. Bloomer, A. Jackson, C. D. Tillinghart.

Clark county — Neillsville, R. Dewhurst, L. A. Doolittle, B. F. French, R. J. McBride, J. O'Niell, Jr., M. C. Ring, J. R. Sturdevant, L. M. Sturdevant, C. A. Youmans, R. F. Kountz, Joseph Morely. Colby, C. F. Grow, R. B. Salter.

Columbia county — Portage, T. Armstrong, Jr., E. S. Baker, L. W. Barden, H. Briggs, J. Buckwell, G. J. Cox, G. Curtis, Jr., H. H. Curtis, C. L. Dering, J. J. Guppy, J. H. Rogers, A. Stewart, W. S. Stroud, J. B. Taylor. Lodi, R. Lindsay, S. H. Watson, B. C. Lamont. Columbus, E. Von Briessen, A. G. Cook, J. T. Lewis, J. S. Maxwell, G. W. Stephens. Kilbourn City, J. Bowman, T. B. Coon, W. H. Mylrea, P. G. Strand. Poynette, J. P. Wilson. Cambria, Peter Williams.

Crawford county — Prairie du Chien, Peter Doyle, W. H. Evans, C. S. Fuller, M. E. Norris, J. H. Savage, O. B. Thomas, L. F. S. Viele, Daniel Webster. Manette, S. S. Ferrell. Bell Center, J. N. Kast. North Star, E. Keiley. De Soto, G. L. Miller. Eastman, S. C. McCline. Yankeetown, A. Montgomery. Wheatville, W. B. Walton. Soldier's Grove, T. B. Ward.

Dane county — Madison, I. C. Sloan, Breese J. Stevens, W. A. P. Morris, J. C. Gregory, Chas. N. Gregory, S. U. Pinney, A. L. Sanborn, Henry M. Lewis, Herbert A. Lewis, Chas. F. Harding, Wm. F. Vilas, Ed. E. Bryant, E. P. Vilas, Rufus B. Smith, W. H. Rogers, Elisha W. Keyes, Jos. S. Keyes, Thomas H. Gill, H. W. Chynoweth, T. B. Chynoweth, F. J. Lamb, Burr W. Jones, F. E. Parkinson, H. Pfund, J. M. Olin, L. J. Grinde, R. M. LaFollette, R. G. Siebecker, E. A. Hayes, J. O. Hayes, Chas. N. Brown, J. L. O'Connor, Alden S. Sanborn, J. H. Carpenter, P. L. Spooner, R. M. Bashford, W. L. Smith, Hans Spilde, F. K. Conover, J. C. Ford, M. P. Jerdee, O. H. Orton, John D. Gurnee, C. T. Wakeley, J. M. Bowman, B. E. Hutchinson, P. B. Kissam. Sun Prairie, E. A. Spencer. Marshall, Geo. H. Norton. Stoughton, L. K. Luse. Oregon, M. M. Green, F. D. Powers. Black Earth, T. H. Taylor. Mazomanie, Henry Howarth, C. H. Hart. Waunakee, P. R. Tierney.

Dodge county — Beaver Dam, J. J. Dick, H. L. Eaton, E. Elwell, G. Hebgren, H. W. Lander, Dana Lander, C. K. Miller, E. C. Pratt, A. Scott Sloan, S. L. Rose. Juneau, L. T. Fribert, E. C. Lewis, J. E. Malone, E. Lowth, P. G. Lewis, R. C. Lewis, G. W. Sloan, C. Henning. Waupun, E. M. Beach, C. E. Hooker, Eli Hooker, R. S. Oliver, S. J. Sumner, S. J. Morse, W. H. Frost, S. R. Vaughn. Horicon, C. Allen, J. B. Hays. Fox Lake, F. Hamilton, W. Hamilton, H. S. Murwin. Mayville, A. K. Delaney, S. W. Lamoreux, F. M. Lawrence, P. B. Lamoreux. Watertown, C. H. Gardner. Lowel, James Lowth, G. W. W. Tanner. Theresa, P. Langenfeld.

Door county — Sturgeon Bay, G. W. Allen, O. E. Druetzer, R. P. Cody, Y. V. Druetzer, F. J. Hamilton, H. M. McNally, D. H. Reed, H. J. Scudder, L. M. Sherman. Fish Creek, R. M. Wright.

Douglas county — Superior, J. W. Burhans, S. H. Clough, G. H. Perry, J. S. Richie, Hiram Hayes. — — Haynes.

Dunn county — Menomonee, E. G. Bundy, N. F. Carpenter, C. E. Freeman, S. W. Hunt, J. H. Ives, J. Kelley, Jr., R. Macauley, F. J. McLean, W. C. McLean, E. B. Manwaring, J. R. Mathews, G. Shafer, R. C. Whitford.

Eau Claire county—Eau Claire, W. F. Bailey, E. M. Bartlett, M. D. Bartlett, W. P. Bartlett, J. H. Culbertson, R. E. Doolittle, W. W. Downs, J. F. Ellis, T. F. Frawley, A. M. Gibbons, M. Griffin, H. H. Hayden, L. W. Larson, S. W. McClaslin, A. Meggett, J. F. Salisbury, G. E. Teall, L. M. Vilas. Augusta, I. B. Bradford, R. D. Campbell, J. C. Crawford, J. B. Irwin.

Fond du Lac county—Fond du Lac, D. Babcock, E. Bissell, A. M. Blair, E. S. Bragg, S. L. Brasted, E. Colman, J. Coleman, G. W. Carter, W. D. Conklin, H. E. Connit, F. F. Duffy, C. A. Eldredge, A. B. Eldredge, C. L. Frederick, H. J. Gersheide, N. C. Giffin, N. S. Gilson, J. H. Hauser, J. W. Hiner, W. H. Hurley, A. A. Kelley, J. E. Kent, G. P. Knowles, P. H. Martin, C. S. Matteson, C. McLean, G. Perkins, D. W. C. Priest, H. F. Rose, C. E. Shepard, C. D. Smith, T. W. Spence, G. E. Sutherland, F. O. Thorp, J. F. Ware, O. T. Williams. Brandon, H. A. Brown, D. Whitton. Ripon, C. L. Catlin, Jere Dobbs, J. J. Foote, H. E. Greise, T. Harris, L. E. Reed, E. L. Runals, W. W. D. Turner.

Grant county—Lancaster, A. R. Bushnell, J. G. Clark, George Clementson, J. T. Mills, R. C. Orr, A. P. Thompson, R. A. Watkins, L. J. Arthur. Platteville, W. H. Beebe, A. W. Bell, W. E. Carter, J. W. Murphy, H. H. Rountree, T. L. Cleary, Thos. H. Robertson. Boscobel, T. J. Brooks, W. Dutcher, J. D. Wilson, G. C. Hazelton, A. W. Hicks, E. M. Lowry, A. McFall, A. Provis, L. J. Wolley. Muscoda, H. F. McNelly, C. G. Rodolph. Pair Play, Samuel Merrick. Potasi, J. W. Seaton. Hazel Green, H. D. York. Bloomington, W. B. Clark. Montfort, W. E. Bell.

Green county—Monroe, S. W. Abbott, E. Bartlett, P. J. Clawson, A. S. Douglas, B. Dunwiddie, R. D. Evans, J. B. Galusha, C. Goetz, B. S. Kerr, H. Medbury, L. Rote, W. W. Wright. Albany, J. B. Perry. Brodhead, C. N. Carpenter, O. S. Putnam, A. M. Randall, B. Sprague. Juda, J. H. Patten.

Green Lake county—Princeton, H. M. Comstock, and Niskeru. Berlin, M. L. Kimball, J. N. Rogers, O. F. Silver, J. V. Snelling, G. D. Waring, D. Junor, J. C. Truesdell, A. E. Dunlap. Markesan, F. J. Knight, A. McCracken. Kingston, J. J. Cauley, P. Walsh.

Iowa county—Mineral Point, T. S. Ansley, M. M. Cothren, W. T. Henry, Cyrus Sawyer, C. W. McIlhen, J. M. Smith, C. Spensley, M. M. Strong, A. Wilson. Dodgeville, M. J. Briggs, R. Carter, J. J. Hoskins, A. Jenks, J. T. Jones, A. McArthur, S. W. Reese, O. C. Smith, J. P.

Smelker. Avoca, P. H. Quinn. Mifflin, Thomas Patefield. Highland, B. Temes, H. I. Frost, John Grace. Linden, J. W. Taylor. Cobb, Henry D. Fruit.

Jackson county—Black River Falls, C. F. Ainsworth, C. R. Johnson, A. J. Marsh, C. M. Olson, G. M. Perry, C. C. Pope, F. C. Weed, C. C. Pope, W. T. Price, H. E. Thompson, F. C. Weed. Merrillan, E. A. Andrews, G. P. Roosman. Melvina, J. A. Johnson.

Jefferson county — G. W. Bird, I. W. Bird, N. Bruett, R. B. Kirkland, W. L. McKenna, W. H. Porter, N. Steinaker. Fort Atkinson, W. H. Allen, G. W. Burchard, C. A. Caswell, L. B. Caswell, W. H. Rogers, G. C. Smith. Waterloo, S. M. Cour, D. A. Seeber. Watertown, C. H. Gardner, D. Hall, E. T. Masterson, H. Mullerga, H. Pease, C. B. Skinner, F. B. Tuttle, A. G. Steiner. Lake Mills, John Winnich. Johnson's Creek, W. W. Woodman.

Kenosha county — Kenosha, M. A. Baker, J. Bond, S. Y. Brand, J. Cavanagh, A. G. Cole, J. P. English, J. W. Hayes, C. Quarles, J. M. Stebbins, E. C. theirs.

Kewaunee county — Ahnapee, J. R. McDonald, M. McDonald, M. T. Parker, J. I. V. Yates. Kewaunee, F. E. Manseau, W. H. Timlin, F. W. White, G. W. Wing, R. A. Wing.

Juneau county — Necedah, A. Green, Jr. Mauston, H. W. Barney, P. R. Briggs, J. Turner, F. S. Verder, F. Winsor. New Lisbon, H. H. Hatch, J. J. Hughes, C. E. Macomber, R. Smith, A. C. Wilkinson. Wonewoc, Durand Mowry, R. A. Wilkinson. Elroy, N. B. Wilkinson.

La Crosse — La Crosse, J. Brindley, B. F. Bryant, C. W. Bunn, W. S. Burroughs, A. Cameron, H. Cameron, J. J. Cole, H. S. Daniels, J. J. Fruit, Geo. H. Gordon, M. Hayes, C. L. Hood, W. E. Howe, H. E. Hubbard, C. K. Lord, J. W. Losev, Chas. B. Miller, G. C. Prentiss, H. M. Safford, W. H. Stogdill, F. J. Toeller, M. Tourtellotte, T. J. Widvey, M. P. Wing, G. M. Woodward.

La Fayette county — Darlington, J. H. Clary, T. C. L. Mackey, H. S. Magoon, G. A. Marshall, J. G. Monahan, A. J. O'Keefe, P. A. Orton. C. F. Osborn, D. S. Rose, J. K. Rose. Shullsburg, M. Hollister, T. J. Law, P. B. Simpson. Belmont, A. C. Murphy, N. Olmstead. Benton, Mathew Murphy. Argyle, E. P. Rogers. Gratiot, N. E. Tully.

Langdale county — Antigo, George W. Latta, L. W. Bliss, M. M. Ross.

Lincoln county — Merrill, W. H. Cannon, H. C. Hertzell, S. M. Hoyt, B. M. McCord, Van R. Willard.

Manitowoc county — Manitowoc, J. S. Anderson, G. B. Byron, R. P. Eaton, C. E. Estabrook, G. A. Forrest, M. Kirwin, J. D. Markham, E. G. Nash, L. J. Nash, A. J. Schmitz, H. Sibree, G. G. Sedgwick, H. G. Turner, W. J. Turner, C. W. White, W. A. Walker, S. A. Wood.

Marathon county — Wausau, C. V. Bardeen, N. A. Brown, E. L. Bump, M. M. Charles, C. F. Crosby, C. T. Eldred, H. H. Grace, H. B. Huntington, M. A. Hurley, B. W. James, J. A. Kellogg, C. H. Mueller, T. Ryan, W. C. Silverthorn, Louis Prodt, Neal Brown, M. Livermore.

Marinette county — Marinette, C. C. Daily, C. J. Faber, J. D. Fairchild, H. O. Fairchild, A. Holgate. Florence, A. G. M. Massee, C. E. McIntosh.

Marquette county — Montello, J. Barry, D. K. Devam, S. A. Pease, W. H. Peters. Orford, H. H. Taylor, G. W. Westfall. Packwaukee, James Duff. Douglas, Silas G. Mills.

Milwaukee county — E. H. Abbott, R. K. Adams, W. R. Adams, R. N. Austin, W. H. Austin, A. J. Beaumont, A. C. Behne, M. C. Bice, F. Bloodgood, E. H. Bottum, F. J. Borchardt, M. H. Brand, A. H. Brown, J. R. Brigham, C. S. Brown, A. R. R. Butler, John A. Butler, H. S. Buxton, A. L. Cary, J. W. Cary, M. B. Cary, E. E. Chapin, I. S. Clark, J. M. Clark, L. Collins, E. G. Comstock, L. M. Comstock, J. M. Connolly, E. F. Cook, J. P. C. Cottrill, F. W. Cotzhausen, D. J. Dalton, J. G. Devens, DeWitt Davis, C. C. Dey, H. W. Dixon, L. S. Dixon, S. M. Dixon, J. G. Donnelly, J. Downer, W. H. Ebbets, J. A. Eggen, E. S. Elliott, T. R. Elliott, A. C. Emmons, H. Emmons, N. J. Emmons, G. Engel, J. B. Irwin, A. E. Evans, O. J. Fieburg, H. H. Field, A. Finch, H. M. Finch, J. G. Flanders, I. T. Ford, A. C. Frazer, J. E. Friend, W. E. Furlong, G. P. Gifford, Sr., B. M. Goldberg, G. B. Goodwin, W. Graham, S. W. Granger, E. P. Hackett, L. W. Halsey, C. A. Hamilton, Burton Hanson, G. P. Harrington, G. W. Hazelton, A. Herdegen, J. Hickcox, D. G. Hooker, S. Howard, F. M. Hoyt, J. G. Jenkins, D. H. Johnson, E. E. Johnson, F. J. Johnson, G. L. Jones, Kate Kane, C. D. Kendrick, C. S. Kitchell, C. A. Koeffler, Jr., A. A. Krause, M. C. Krause, G. L. Kurtz, C. W. Lakin, G. W. Lakin, C. P. Larkin, M. N. Lando, G. H. Lawrence, W. Loring, J. C. Ludwig, R. Luscombe, W. P. Lynde, W. P. Lynde, Jr., J. H. Lambe, W. McElroy, Jr., J. P. McGregor, J. C. McKenney, M. N. McLaren, J. F. McMullen, G. McWhorter, G. A. Mallory, J. A. Mallory, C. D. Mann, J. E. Mann, E. Mariner, G. E. Markham, H. H.

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Outagamie county—Appleton, W. J. Allen, D. C. Babcock, S. Baird, L. Barnes, J. Bottensek, S. Boyd, O. E. Clark, A. L. Collins, J. Goodland, L. Hammell, J. E. Harriman, G. C. Jones, A. H. Kellogg, G. H. Myer, W. Kennedy, H. Pierce, H. D. Ryan, H. C. Sloan, H. W. Tenney, W. S. Warner, H. Wantz, S. Ryan, J. Roemer. Kaukauna, E. C. Eastman.

Oconto county—Oconto, A. Brazeau, R. Ellis, A. Reinhart, O. F. Trudell, W. H. Webster, H. H. Woodmansee. Maple Valley, R. W. Hubbell.

Ozaukee county—Port Washington, L. H. Coe, G. H. Foster, J. Hedding, D. N. Jackson, W. A. Pors, W. A. Stewart, L. Towsley, E. S. Turner. Cedarburg, F. W. Horn.

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H. B. Dike, G. D. McDill, C. H. Oakley, J. Post. St. Croix Falls, C. H. Ladd, N. B. Ladd. Clear Lake, H. B. Burbank, F. M. Nye.

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Rock county—Janesville, A. W. Baldwin, A. C. Bates, J. M. Bates, J. R. Bennett, H. S. Conger, E. F. Carpenter, L. C. Clark, J. B. Doe, Jr., D. T. Dunwiddie, B. B. Eldredge, T. J. Emmons, O. H. Fethers, E. M. Hyzer, A. A. Jackson, Angie King, H. McElroy, C. C. McLean, J. Nicholls, T. S. Nolan, Pliny Norcross, H. S. Patterson, L. F. Patton, J. J. R. Pease, M. M. Phelps, A. P. Prichard, M. L. Prichard, M. Ruger, J. W. Sale, A. H. Smith, M. Smith, Jr., M. Street, G. G. Southerland, A. D. Wickham, C. G. Williams, John Winans. Beloit, J. B. Dow, B. M. Malone, R. H. Mills, Jr., S. J. Todd, R. Tattershall. Evansville, D. L. Mills. Edgerton, J. P. Town. Oxfordville, George Helmbolt. Clinton, William Jones. Footville, H. A. Richards.

Sauk county—Baraboo, J. Barker, H. P. Barlow, M. Bentley, W. Brown, P. Cheek, Jr., L. Cronch, R. E. Noyes, N. W. Wheeler, John E. Wright. Reedsburg, J. W. Lusk, W. A. Wyse, A. W. Perry, R. P. Perry, G. Stevens. Prairie du Sac, E. W. Young, J. S. Tripp. Sauk City, J. B. Quimby.

Shawano county—Shawano, D. P. Andrews, J. W. Bishop, G. C. Dickinson, H. C. French, E. J. Goodrich, J. Maurer, R. M. Phillips, E. P. Perry.

Sheboygan county—Sheboygan, L. D. Harvey, P. T. Krez, W. H. Seaman, Joseph Wedig, Bille Williams, Frank Williams, C. A. Dean, Conrad Krez, D. T. Phalen. Sheboygan Falls, John E. Thomas, E. Clark,

J. H. James. Plymouth, M. D. L. Fuller, M. Mead. Scott, T. Clifford.

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Vernon county—Viroqua, C. M. Butt, A. W. Campbell, W. S. Field, H. C. Forsyth, C. W. Graves, C. N. Harris, H. W. McAuley, J. E. Newell, H. P. Proctor, C. A. Roberts, L. J. Rusk, W. F. Turhune, L. S. Tallefron, O. B. Wyman.

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Waukesha county—Waukesha, P. H. Carney, E. W. Chafin, A. Cook, W. S. Green, M. S. Griswold, T. W. Haight, W. S. Hawkins, T. C. Martin, F. W. Montieth, D. H. Sumner, Mrs. T. M. Sumner, J. R. Spencer, F. H. Putney, S. A. Randles, V. Tichenor. Oconomowoc, J. R. Carpenter, R. C. Hathaway, E. Hurlbut, W. Parks, E. D. R. Thompson, C. H. Van Alstine. Mukwanago, M. Field. Geneseo, P. D. Gifford. Pewaukee, W. H. Therna.

Waupaca county—Waupaca, E. L. Browne, I. P. Lord, Myron Reed, G. Lines, C. S. Ogden, J. F. Dufur. New London, Miss F. F. Arnold, G. W. Bishop, S. L. Hamilton, M. B. Patchin, E. P. Perry, O. F. Weed,

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Waushara county — Wautoma, R. L. D. Potter, L. L. Soule. Plainfield, W. N. Kelley, T. H. Walker, M. M. Gillet. Auroraville, A. Strang.

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WOMEN LAWYERS.

In an address before the State Bar Association, as its president, M. M. Strong said: "The professional career of Rhoda Lavinia Goodell has given a marked impression to one feature of the professional history of the state, and presented an occasion for an appropriate and able exposition of the distinction created by nature between the proper sphere of woman, and the rough and varied duties of him whose province it is rather to aid and protect, than seek to vanquish her. But the progressive spirit of the age has, through the legislation of the state, abolished that natural distinction, and declared that no person shall be

denied admission or license to practice as an attorney in any court of this state, on account of sex. So long as this shall continue to be the law of the state, it will be the duty and the pleasure of the members of the bar to extend to all women, who may choose to avail themselves of it, every courtesy and kindness in his power."

Miss R. L. Goodell came from New York city to this state when a young woman, studied law at Janesville, was admitted to the bar of that circuit, opened a law office in that city, and entered into considerable practice, her clients being mainly of her own sex. Having a case appealed to the supreme court she presented herself before that bench asking for admission. Her application was rejected. This was wholly on account of sex. E. G. Ryan, then chief-justice, took a decided stand against her admission. He said he wished to protect the sex. Miss Goodell thereupon opened upon him a fierce wordy warfare, largely through the press, and at the next session of the state legislature she induced a friendly member to introduce a bill permitting the admission of women to practice in all courts in the state. She entered the field in person, successfully lobbied the bill through the legislature and was subsequently admitted to the bar of the supreme court. She then removed her residence and law business to Madison and shortly afterward died. In literary attainments, intellectual ability and purity of character this lady preëminently excelled.

Miss Angie King studied law, was admitted to the bar, and is in successful practice at Janesville. She has education, business abilities, is a member of a highly respectable family, has high social standing, and is cordially recognized as one of the fraternity by the members of the bar where she practices her profession. When Miss Goodell was an attorney at Janesville these ladies were in partnership as Goodell & King.

The women attorneys in practice in this state are Miss Kate Kane, at Milwaukee, Miss Angie King, at Janesville, Miss F. F. Wheeler, at New London, and Mrs. T. M. Sumner, at Waukesha. •

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The data for the following sketch was received only in time for the last pages of the book:

NORMAN S. GILSON, Fond du Lac, is a son of Willard H. and Sylvia L. Gilson, and was born in Middlefield, Geauga county, Ohio. March 23, 1839. His parents were among the early pioneers of the Western Reserve. Norman, the eldest son, was born in a log house near the old Gilson homestead, and as soon as he was large enough to work, assisted his father in improving and carrying on the farm. The community in which he passed his boyhood was composed of frugal and industrious people from New England. Young Gilson continued to labor with his father on the farm until he was twenty-one years old, but during that time received a good common school and academic education. He also taught school one term before leaving home for the west. In the spring of 1860 he came to Wisconsin, settling at West Bend, where he commenced the study of the law with his uncle, L. F. Frisby, then in partnership with Paul A. Weil. The following fall he taught a select school in West Bend, and afterward the district school at that place. When the winter term of school closed he clerked in the postoffice for his uncle, I. N. Frisby, who was then postmaster at West Bend. Before he had pursued his legal studies far enough to obtain admission to the bar the war broke out, and in September, 1861, he enlisted at West Bend in Company D, of the Twelfth Wisconsin, commanded by Colonel George E. Bryant. He entered the service as a private, and was promoted to be sergeant of his company, then to sergeant-major of the regiment; during a part of 1862 his regiment was on duty in Missouri and Kansas, but in June of that year they joined the Army of the Tennessee at Columbus, Kentucky; a portion of the time he was with the Army of the Cumberland on detached duty with the staff of General Robert B. Mitchell; rejoining General Grant's army at La Grange late in the fall of 1862, he remained with that army until after the capture of Jackson, Mississippi, in July, 1863; in August, 1863, he was promoted to the first lieutenancy of Company H, Fifty-eighth regiment United States colored infantry, afterward to the position of adjutant and finally to that of lieutenant-colonel of the regiment; he participated in the siege of Vicksburg, siege of Jackson, battle of Perryville and other engagements; he served as judge advocate of the district of Natchez on the staff of Major-General Davidson, and in 1865 and 1866 was judge advocate of the Department of the Mississippi on the staff of Major-General Oster-

haus, and with General Thomas J. Wood commanding that department. Although his regiment was mustered out of service in 1865, he was retained on duty for more than a year afterward by direction of the secretary of war on account of his being judge advocate of the court martial convened for the trial of Captain Frederic Speed for criminal carelessness in over-loading the steamer Sultana, whereby the lives of over eleven hundred paroled prisoners of war were lost. It is safe to say that this was the most important military trial held on the Mississippi during the war.

On June 12, 1866, soon after the conclusion of the Speed trial, Colonel Gilson was mustered out of the service and brevetted colonel of United States volunteers by the president. During nearly five years' service, he was absent from duty only thirty-six days, thirty days on furlough and six days in the hospital. Upon leaving the army Colonel Gilson resumed the study of law after the long absence. Taking a full course at the Albany Law School, he graduated from that institution in 1867 and was admitted to the bar of the supreme court of New York. Returning to Wisconsin he selected Fond du Lac for his home, and in the winter of 1868 began the practice of his profession and continued in active practice until elected judge. In the meantime he served one term as city attorney of Fond du Lac, and one term as district attorney of Fond du Lac county. In March, 1880, Colonel Gilson received the democratic nomination for judge of the fourth judicial circuit, and was elected by over eight thousand majority. Judge Campbell McLean, who held that office for two terms ran against him as an independent candidate.

Judge Gilson's father, now seventy years of age, is living at Garrettsville, Ohio. His mother died in January, 1880. She was a woman of good sense, possessed of rare patience and was untiring in her care and watchfulness in the nurture and training of her children. Franklin L. Gilson, his youngest brother, is a lawyer residing at River Falls, and was speaker of the Wisconsin assembly in 1882.

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ERRATA.

Page 51—The biography of M. M. Jackson should be under the head of associate justices of the supreme court.

Page 35—State against Arndt should be State against Vineyard for shooting Arndt.

Page 59—Lester Ryan should be Leslie Ryan in the last paragraph but one on the page.

Page 117—Tuscan should be Tucson in second paragraph.

Page 225—Second district should be second circuit.

Page 279—Eliha Coleman should be Elihu Colman.

Page 533—C. K. Davis, Minnesota, should have been added to the list of Governors who have been lawyers of Wisconsin.





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